



# Journal of the Senate

Number 8—Regular Session

Thursday, March 30, 2006

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## CALL TO ORDER

The Senate was called to order by President Lee at 9:30 a.m. A quorum present—40:

Mr. President	Diaz de la Portilla	Peadar
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

## PRAYER

The following prayer was offered by Rabbi Schneur Z. Oirechman, Director of Chabad Lubavitch of the Panhandle, Tallahassee:

Almighty God, creator of all, we ask of you to bless this Senate in its work to serve the people; make strong the hearts and minds of those gathered under this roof; and grant us all the love and understanding to best help others.

As we approach Passover, the festival of freedom, may we all experience the liberation of freedom, and as we approach the birthday of the Lubavitcher Rebbe, Rabbi Schneersohn, may those of every faith learn from the universal leadership and morality of the Rebbe.

Let us draw inspiration from the self-sacrifice of Moses, the humble hero of Passover, and let us sacrifice of ourselves for the benefit of others. Let us especially reach out to those left hungry and hurt by hurricanes, and may they progress from poverty to liberty.

Almighty God, we ask you to grant us your aid and helping hand, that we may best respond to those seeking aid and a helping hand. Bestow your wisdom upon us that we may act wisely.

Let your will be realized in our lives, and in the lives of every man, woman and child we seek to assist, until the day that all of mankind shall know peace at the ultimate redemption. May it come speedily in our days. Amen.

## PLEDGE

Senate Pages Amy Mixson of Bradenton; Chalencia Seay of Auburn-dale; Heidi Ford of New Smyrna Beach; and Edwanye Jones of the Boys Ranch, led the Senate in the pledge of allegiance to the flag of the United States of America.

## DOCTOR OF THE DAY

The President recognized Dr. William Busch of Kissimmee, sponsored by Senator Wise, as doctor of the day. Dr. Busch is an Osteopathic physician specializing in Aviation Medicine and Ophthalmology.

## ADOPTION OF RESOLUTIONS

At the request of Senator Wilson—

By Senator Wilson—

**SR 2454**—A resolution commending The Links, Incorporated, for its work in Florida.

WHEREAS, The Links, Incorporated, is a highly respected international organization of more than 10,000 professional, accomplished, dedicated women of African ancestry in 274 chapters located in 42 states and three countries with a mission and purpose of friendship and community service, and

WHEREAS, members of The Links are role models, mentors, activists, and volunteers who work toward purposeful public service with educational, cultural, and civic commitments through four functional facets – International Trends and Services, National Trends and Services, the Arts, and Services to Youth, and

WHEREAS, the National Trends and Services facet of The Links, Incorporated, also encompasses service related to three Linkages including: Education; Health and Wellness; and Legislative work that highlights and addresses concerns of the organization in these areas and also impacts African-Americans and society, and

WHEREAS, major issues and needs that concern the Southern Area of The Links, Incorporated, include eliminating health disparities in conformity with the federal Healthy People 2010 program, which establishes national health objectives designed to identify the most significant preventable threats to the health of African-Americans, and targeting six focus areas that disproportionately impact the health of African-Americans – infant mortality, cancer, cardiovascular disease, diabetes, HIV/AIDS, and immunizations, and

WHEREAS, Links from around the State of Florida have assembled today to demonstrate their support for the Florida Legislature's enactment of Healthy People 2010 legislation promoting elimination of health disparities, to thank members of the Florida Legislature for their wisdom and prudent action in addressing health and wellness in terms of societal need, and to encourage Legislators to monitor, implement and seek progress through this important legislation, and

WHEREAS, Senator Frederica Wilson and Senator Mandy Dawson are members of The Links, Incorporated, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That this body does pause in its deliberations to pay its respects to the dedicated efforts and example of the Southern Area of The Links, Incorporated, led by Margaret Thompson Johnson, in their successful campaign for the advancement and accomplishment of equitable health care

policy and services for all Floridians, and to recognize the exemplary value of their work toward increasing quality and years of healthy life for the residents of this state.

—**SR 2454** was introduced, read and adopted by publication.

At the request of Senator Jones—

By Senator Jones—

**SR 2798**—A resolution recognizing March 21 and 22, 2006, as “Massage Therapy Legislative Awareness Days.”

WHEREAS, members of the Florida State Massage Therapy Association and the Florida Chapter of the American Massage Therapy Association throughout the state are actively involved in public awareness and health programs to improve the health and quality of life of Florida residents, and

WHEREAS, the Florida State Massage Therapy Association and the Florida Chapter of the American Massage Therapy Association have been holding Massage Therapy Legislative Awareness Days at the Florida Capitol since 1988 for the purpose of educating the State Legislature and the public concerning the many health benefits of massage therapy, and

WHEREAS, licensed massage therapists have been licensed and regulated in the State of Florida since 1943, and there are more than 23,000 massage therapists licensed by the state, and

WHEREAS, massage therapy is a low-cost, high-quality means of enhancing and restoring health, and

WHEREAS, increased awareness of the benefits of massage therapy will lead to improved health and vitality of the residents of the State of Florida, and

WHEREAS, the Legislature recognizes massage therapy for wellness and preventive health measures, NOW, THEREFORE,

*Be It Resolved by the Senate of the State of Florida:*

That the Florida Senate recognizes March 21 and 22, 2006, as “Massage Therapy Legislative Awareness Days.”

—**SR 2798** was introduced, read and adopted by publication.

## SENATOR CLARY PRESIDING

### UNVEILING OF PORTRAIT

#### REMARKS

On motion by Senator Pruitt, the following remarks were ordered spread upon the Journal:

**Senator Miller:** I didn’t prepare any remarks. I didn’t find out I was going to do this until 8:15 this morning. I haven’t had a chance to prepare any remarks, so this comes from the head and the heart.

I’ve known President Lee for almost 14 years; that is before he became a Senator. In the House, I used to represent Brandon and, at that time, he was involved with the Brandon Chamber of Commerce. We had to work many things out in Brandon. The traffic situation was the biggest one we had to work on, and our friendship developed from that point on. Then he ran for the Senate and there wasn’t much communication at that time because he was over in the Senate and I was in the House. I was doing battle in the House, sitting in the back row, throwing bombs at that time. I was pretty good at it, Mr. President.

When I came over here, the friendship ignited again. My wife always tells me I don’t have many friends in my life. She doesn’t realize I have many friends; most of them are up here. The strong friendship and bond began with President Lee. I never will forget one of the times I was here as a brand new Senator. I was trying to get something in the budget. I had it in there, and you know how budget processes work; overnight, my money was gone. I came to him and said, “I need some help. What am

I supposed to do here? I’ve promised some people back home. I need this project.” He said, “Look, you go to the Appropriations Chair and tell him I have this project (I think it was in Plant City at the time). Take some money out of that and hold a spot for you, and let’s see what we can do.”

This was a powerful Republican talking to a brand new Democrat that did this for me. We got it in the budget. It was vetoed by the Governor, but we got it in the budget. I never will forget that because he could have just said, “I’m sorry, too bad.” But no, he told me to go to them and tell them that he said do this, and I never will forget that.

We sit in his office many times since he’s been President, and talk about a lot of things. Most of it has been political; some of it has been personal. I never will forget when I had to walk in there and tell him I had cancer. That was probably the toughest thing I had to do. You know, we get up here sometimes, and we think we’re invincible. Nothing can happen to us. It had already happened to my daughter, and already happened to my wife, and then it happened to me. I had to walk in there and tell him that I had cancer, and I was going to be gone for a while.

The friendship really came out then, because he looked at me and told me not to worry about it, that everything was going to be okay. He said, “You’ve got to stay in contact with your staff, and you’ve got to work; but you’ve got to get better.” He gave me all the communications equipment I needed to do that, and he checked up on me. I got e-mails from him on that BlackBerry he let me use, to see how I was doing, and he continuously told me I was going to be all right. As I was suffering in the hospital, waiting to have surgery, I thought about his voice saying, “You’re going to be okay,” and the friendship he showed me at that time. I came back, and the first person I saw was him, and he said, “Welcome back.”

We’re from different sides of the aisle, different walks of life, different parts of Hillsborough County; but he’s a friend, a statesman and a good leader. We don’t always agree, but the disagreements that we have are disagreements that we keep in a senatorial way.

Mr. President, we both will be leaving this process this year; but you will be a friend always. Regardless of what some people might think, I love you, man.

**Senator Villalobos:** Mr. President, you are truly one of the most amazing people I ever have had the opportunity to work with and to meet. You have been a great inspiration to me personally. My wife says that one of my many, many faults is my low level of patience and tolerance with people that I don’t believe meet certain standards; and that’s true. I have very low patience and tolerance for people that I feel are dishonest or corruptible. And if there is one thing about you that stands out, it is the fact that you are such a man of principle, and just incorruptible. You do things because it is the right thing to do and whoever doesn’t like it, that’s too bad. That has served as an example for me in my life. I hope I can live up to those standards, Mr. President.

We here in the chamber often speak for people who can’t be here, because you have to be in the Senate, you have to be a member, and that is the only way you have the privilege of coming up here to speak. Sometimes, however, an exception is made and other folks are allowed to come in; but for many reasons those voices can’t be heard.

I have a letter from someone who can’t be here today. I would like to have this opportunity to read it:

Dear Tom, the passage of time is so fickle. There are periods it seems to fly and others when it is almost painfully slow. Your tenure as a Senator has flown. As a back-drop to that observation, my memory of you and I standing at the polls in Pasco County until about 6:40 p.m. on Election Day 1996 is so vivid that it honestly seems to be a short time ago. You deserve an accolade for that effort. As you may recall, I abandoned the polls to sit in the car due to an incalculable number of the largest mosquitoes I can ever recall. You stayed with your “Tom Lee” sign. That was to me a measure of your deep determination.

I recall you and I standing at the corner on Highway 60. Cars were passing at about seventy per minute. We got a lot of positive recognition and we got some finger recognition also. But as tragedy often happens in a split second, a man was run over by a pickup. In an instant you dropped your sign and said, “O my God” and almost carelessly headed into the traffic to see if you could be of assistance to that man. That to me was a symbolic measure of how much you truly care about others.

Tom, there are very few on the Senate floor, and in the balcony, who knew you as a little boy. It is an honor and privilege that while I am unable to be there today, I, of course, did know you. You were a boy's boy, as you are a man's man. But as both, you and I have always had a big heart for an individual or a group or individuals who needed help, and I never, ever have seen the first indication of bias and certainly not bigotry in you.

I suppose today it's somewhat symbolic of the end of an era in your life. While you have been unable to accomplish a few things you wanted to get done, by far and away, with the help of your colleagues, you have accomplished mountains. Thus, you will leave a golden legacy. You are highly thought of by many, many people.

Finally to the point of this message, I love you more than words can describe and my chest swells with pride just to be your Dad.

With love, pride and respect, your Dad.

**Senator Pruitt:** It is said that a picture speaks a thousand words. In a portrait, it not only speaks those words, but it brings them to life.

Look at the portraits of former Senate Presidents. I look at Gwen Margolis—her portrait speaks of a steady hand. She led this Senate in some of the most difficult fiscal times this state has ever seen; and she did so with style and grace.

Toni Jennings—her portrait speaks of a dedicated public servant whose passion for public education is renowned throughout the entire State of Florida.

John McKay—his speaks of a man committed to tax reform—so committed, that he continued his quest even after leaving this chamber.

Jim King—it is a portrait of compassion. His presidency will be forever remembered for his passion for biomedical research and for his commitment to his beloved Florida State University.

As for the portrait of Tom Lee, it will speak many more than a thousand words, and it will have a life to it like no other.

It speaks about a man with a sense of purpose:  
...a man with a vision,  
...a man who chartered a course and stayed true to that course no matter how difficult it became.

In just one session, our President led this body in accomplishing issues most wouldn't tackle in two sessions.

Historic growth management reform—lobbyist reform, which is now a national model—a three-year financial plan which puts Florida on a solid fiscal course for the future.

Ronald Reagan once said: "Every day is a new beginning, and every sunset is merely the latest milestone for a voyage that never ends."

While the sun may be setting on your tenure here Mr. President, you can look into the horizon knowing that you did it your way, you led with conviction and you led with principle.

In these twilight hours as presiding officer, know that this is only a milestone on your voyage; a voyage that is destined to continue.

When you put down the gavel for the last time and go from this chamber, you should be inspired by the fact that your leadership will echo in these Senate walls for the next century.

While your portrait speaks a thousand words attributed to a man who accomplished great public policy, the legacy that you leave behind for future generations speaks volumes more.

On a more personal note, you are passing on a better Florida to all of our children, but more importantly, you are passing it on to your beloved Regan and Brandon.

They will have the honor one day, of bringing their children and grandchildren to visit this hallowed chamber, not to see a portrait on a wall, but to remember a man who played a monumental role in their lives and in Florida's future.

Mr. President, the unveiling of this portrait honors you for your great service to this state and particularly to our beloved Senate. More importantly, it speaks and brings to life the hope that any little boy or girl out there can be anything they want to be, including President of the Florida Senate.

Enjoy this moment, Mr. President. You've earned it. Good work.

As always, there are those that leave an indelible mark on our lives, those beyond members of our families who can be called mentor, confidant and friend. For a President, Senator Malcolm Beard is that person. Senator Beard is here with his bride, Mary Ellen. Mr. President, it is my honor and privilege to request that Senator Beard be allowed to approach the well and give his remarks.

**Senator Malcolm Beard:** Senators, Ann Lee and the Lee family, honored guests and ladies and gentlemen. I am really glad to be here. All my life I've had a burning desire to be a witness to a hanging.

It's about time that President Lee's portrait be hung on that wall along with those outstanding ladies and gentlemen who preceded him. I served with half of the people on that wall, all the way back to President Phil Lewis. An outstanding and wonderful gentleman. I personally knew and served with many of those who preceded Senator Lewis. I know your President. I honestly believe that when the history of this Senate is revealed that Tom Lee will go down among the best of the best who ever occupied that chair.

I have known this young man since he was just out of college. Coming to his community, he got involved in civic affairs and was eventually elected President of his Chamber of Commerce. I observed that he wasn't a person to make hasty and reckless decisions. He gave decisions a great deal of thought. I recall that when there was a Senate vacancy open, he was encouraged and offered support by many people. Most folks would have considered that a draft, by the type of support he was offered. Not him. He sat back; he listened, he's a good listener; he analyzed the situation; and he made the decision that it was his decision. Once that was made, he did what he does best. He stood tall, he never looked back and hit the ground running.

I see the history since Tom has arrived in this august body; here's a man, he's a rock. He's a man that understands the art of compromise, as long as he doesn't have to compromise his integrity or his principles. He also understands the position of President and the importance of being fair, being considerate and being respectful to his colleagues on the other side of the aisle. I think that the majority, if not all of you Senators here, share that type of philosophy. If you didn't, I don't think you would be here. I don't think you would elect somebody like Tom Lee to be your leader if you didn't share that type of thinking.

The Senate looks good to the people on the outside looking in. It was so refreshing to those of us who have been here before to witness last year when your President and the Speaker of the House met and negotiated the differences between the two houses with dignity and common sense. That was kind of a rare situation from some of those that we've seen in the past where leadership was forced into playing foolish and childish games in order for us to go home.

I really can't go without saying, Toni Jennings is over there. I served with her and Senator Margolis, two ladies of the Senate. I served with Toni when she was in the House. I first met her and fell in love with her there. We then both came to the Senate. I remember one night, one of those last miserable nights, trying to get out of here. It wasn't night anymore; it was Sunday morning. Toni was in the Chair. The President was down there playing games with the House Speaker. I had some legislation that was being held hostage. It was that earth-shaking, must-pass, world-going-to-come-to-an-end, kind of stuff. Toni wouldn't let me have the microphone; the clock was ticking and we had set a time certain for sine die. She didn't let me have the microphone; she just ran that stuff right through. That's the way we did business back then. I appreciate her very, very much.

You know we get our information about what's happening up here from those folks up there, from the media. They watch every move you make, listen to every word you say and report it to the people of Florida. Incidentally, I think they do an outstanding job hiding behind that bullet-proof glass. I understand that Lucy Morgan is not here anymore. Lucy reported things that I said whenever I said anything, or slipped up and

said anything that was worth reporting. Sometimes she reported things that I didn't recall or didn't want to recall.

I'm so glad to be here with you. I'm so proud to have served in this Senate. I'm so proud of your leader, Senator Tom Lee. I'm so proud of the way the Senate looks at these very trying times. You've had to deal with some very, very heavy issues. The growth and the results of the growth, the environment, the schools and on and on. Even some natural disasters. You're doing a great job. Keep it up. Thank you very much.

**Senator Clary:** At this time, I'd like to introduce the artist who painted President Lee's portrait, Phi Van Mai with Leon Loard Portraits. Mai is originally from South Vietnam. Escaping Communism, imprisonment, refugee camps, years of hardship, Mai reached the United States in 1989. I'd also like to note he has a Master's degree in Architecture. Please let us welcome to the Florida Senate, Phi Van Mai. Please stand and be recognized. I'd also like to note that Mai also painted Senator King's portrait, right here on my right.

President Lee, would you and your children, Regan and Brandon, please join Sergeant Severance for the unveiling of the portrait?

Members, I present the unveiling of the portrait.

Before I recognize President Lee for some remarks, I would like to make a few remarks of my own. I'd like to say that the words spoken in this chamber were never truer about Tom Lee. We came in together in 1996, and Tom, it's been a great ride. I feel honored to call you a friend, and we'll go out together. It's been a great time here in the Senate. I know that you and your family are proud. I couldn't be prouder for you. At this time, I'll recognize you for some remarks.

### ADDRESS BY PRESIDENT LEE

**President Lee:** Thank you, Senator Clary. I want to thank the members who have made comments here this morning and Senator Beard, as well. There are so many people in this chamber and in the gallery who have contributed to my life in some very, very special ways—too many to mention here this morning.

I'll get on to the important business of the chamber. I'm so overcome with emotion. There are so many things going through my mind this morning. This has been an incredible chapter in my life—to serve in public life. I never thought it would work out this way; I never expected to be as successful as things have turned out; I never expected to develop some of the deep relationships, and the bilateral respect that I enjoy in this chamber with my colleagues.

I want to take a couple of the minutes that you have offered me to focus on my children, most importantly. Notwithstanding all the things that have been said here this morning, I am far, far from the perfect man. I've made a lot of mistakes in my life. I've had a lot of successes. I think the two best things that have ever happened to me are sitting here in front of me this morning—my son, Brandon and my daughter, Regan. They have changed my life in so very, very many ways. Comments from my father, the love I have for my mother, the respect I have for both of them is immense. I've heard it said a number of times, not the latest of which was yesterday, that the people who truly pay the price for our public service are our family members. My kids know their dad is different. They know he travels a long way away from home to go to work; they know he's busy a lot when other dads aren't.

I want them to know this morning that much of what I have done in my life publicly, I have done out of their inspiration and out of my love for them. It's why, as I looked around the chamber at the portraits and all the different messages that were being sent by all the symbolism in each of them, that I wanted my symbolism and reflections of my memory of this chamber to be about my kids. I guess for the first time in the history of this chamber, it was important enough for me that I wanted to have a picture of my children in the background because I will come back here. I will look on the wall as the portrait rotates around over time and I will reflect fondly on the things that have happened here.

But more importantly, I want my children to come back here and bring their children and their grandchildren and to have them be able to see that at one point in history, in the late 1990s and the early 21st Century, that their father was President of the Senate and that they were an important part of his life and his inspiration to serve. Much of the things

that we have taken up here, long-range financial planning, growth management, and ethics in government are all about trying to make sure that these little guys and gals enjoy the same opportunity and the same privilege to grow up in the same Florida that you and I enjoyed.

So, not to belabor the point, I want to thank my children. I want to thank my family. I want to thank you all, my colleagues. I want to thank the folks in the gallery who have blessed me in so very, very many ways throughout my life for the privilege and honor of being your Senate President and for this brief moment in history. Thank you.

By direction of the President, the rules were waived and the Senate proceeded to—

### SPECIAL ORDER CALENDAR

On motion by Senator Wise—

**CS for SB 1278**—A bill to be entitled An act relating to youth and young adults with disabilities; creating the Interagency Services Committee for Youth and Young Adults with Disabilities; providing legislative intent; providing that the committee be staffed by member agencies of the committee; providing for the membership of the committee; providing duties and responsibilities for the committee; requiring the committee to submit a report to the Governor and the Legislature; providing an effective date.

—was read the second time by title.

Senator Wise moved the following amendment:

**Amendment 1 (851302)**—On page 1, line 18 through page 4, line 1, delete those lines and insert:

(1) *The Agency for Persons with Disabilities may create the Interagency Services Committee for Youth and Young Adults with Disabilities. It is the intent of the Legislature that the committee develop strategies to ensure successful transition to employment or further education of youth and young adults with disabilities and to eliminate barriers that impede educational opportunities leading to future employment.*

(2)(a) *The committee shall consist of heads, or their designees, of the following agencies and bureaus or divisions of agencies: the Department of Education and, in that department, the Bureau of Exceptional Education and Student Services, the Division of Vocational Rehabilitation, the Division of Blind Services, the Division of Community Colleges, workforce education, and the office of interagency programs; the Agency for Persons with Disabilities; the Agency for Health Care Administration; the Division of Children's Medical Services Network in the Department of Health; children's mental health in the Department of Children and Family Services; the Department of Juvenile Justice; the Department of Corrections; the Commission for the Transportation Disadvantaged; and the Florida Housing Finance Corporation. Agency representatives must be at least at the bureau chief level. The committee may invite representation from the following private and public parties: the Able Trust; the Business Leadership Network; the Florida Advocacy Center; the Governor's Americans with Disabilities Act Working Group; the Florida Association for Centers for Independent Living; an individual with a disability; and a parent or guardian of an individual with a disability. The members of the committee shall designate one of its members as chairperson.*

(b) *The Department of Children and Family Services, the Department of Education, the Department of Health, and the Agency for Persons with Disabilities shall provide staff support to the committee. Meetings and records of the committee are subject to ss. 119.07 and 286.011, Florida Statutes. The chairperson may designate one of the agencies providing staff support to perform administrative responsibilities for the committee.*

(c) *Committee members shall serve without compensation but are entitled to reimbursement for expenses incurred in carrying out their duties as provided in s. 112.061, Florida Statutes. Members who are public officers or employees shall be reimbursed through the budget entity through which they are compensated. Reimbursement for members who are not public officers or employees shall alternate between the budget entities represented on the committee.*

(3) *The committee shall:*

(a) *Identify the roles and responsibilities of each agency with regard to the committee goals.*

(b) *Develop collaborative relationships to identify and assist in removing federal and state barriers to achieving the goals.*

(c) *Identify common or comparable performance measures for all agencies that serve youth and young adults with disabilities.*

(d) *Design a mechanism to annually assess the progress toward the goals by each agency.*

(e) *Collect and disseminate information on research-based practices of state and local agencies on successful strategies.*

(f) *Develop strategies to educate public and private employers on the benefit of hiring persons with disabilities.*

(g) *Develop strategies to encourage and provide incentives for public and private employers to hire persons with disabilities.*

(h) *Recommend a statewide system of accountability which would include incentives for persons with disabilities; service providers, including school districts, technical centers, and community colleges; and businesses and industries providing integrated competitive employment to individuals with disabilities.*

(4) *The committee shall present a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by March 1, 2007, and a final report on its findings and recommendations by January 1, 2008. The committee is abolished on June 1, 2007.*

Section 2. This act shall take effect upon becoming a law.

## MOTION

On motion by Senator Wise, the rules were waived to allow the following amendment to be considered:

Senator Wise moved the following amendment to **Amendment 1** which was adopted:

**Amendment 1A (365780)**—On page 4, delete line 1 and insert: *on June 1, 2008.*

**Amendment 1** as amended was adopted.

Pursuant to Rule 4.19, **CS for SB 1278** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

Consideration of **CS for SB 1716** was deferred.

On motion by Senator Margolis—

**SB 1032**—A bill to be entitled An act relating to affordable housing; amending s. 420.5087, F.S.; reducing the percentage of the loan amount which the sponsor of a housing community for the elderly must commit to match in order to receive the loan under the State Apartment Incentive Loan Program; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1032** was placed on the calendar of Bills on Third Reading.

On motion by Senator Baker—

**SB 1614**—A bill to be entitled An act relating to motor vehicle license plates; amending s. 320.0846, F.S.; removing expiration of provisions for free license plates to active members of the Florida National Guard; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **SB 1614** was placed on the calendar of Bills on Third Reading.

On motion by Senator Sebesta—

**CS for SB 1350**—A bill to be entitled An act relating to the Department of Transportation; amending s. 215.615, F.S.; revising matching requirements for revenue bonds issued for fixed-guideway transportation systems; amending s. 337.11, F.S.; amending notification requirements for construction contracts; amending s. 337.14, F.S.; providing exemptions from prequalification requirements for certain projects; amending s. 337.18, F.S.; revising requirements for surety bonds for certain construction projects; amending s. 338.161, F.S.; providing that toll agencies may enter into agreements to promote additional uses of the electronic toll collection system; amending s. 338.2275, F.S.; deleting obsolete provisions; revising the maximum amount of bonds that are available for turnpike projects; providing an effective date.

—was read the second time by title.

Senator Sebesta moved the following amendment which was adopted:

**Amendment 1 (922006)**—On page 4, lines 21 and 22, delete those lines and insert:

(3)(a) On all construction contracts of \$250,000 or less, *as well as any construction contract of less*

Pursuant to Rule 4.19, **CS for SB 1350** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett, by two-thirds vote **HB 219** was withdrawn from the Committees on Commerce and Consumer Services; and Banking and Insurance.

On motion by Senator Bennett—

**HB 219**—A bill to be entitled An act relating to labor pools; amending s. 448.24, F.S.; providing a limit on the amount a labor pool may charge a laborer for transportation to or from a designated worksite; authorizing a labor pool to provide day laborers with a method of obtaining cash from a cash-dispensing machine; amending s. 448.23, F.S.; conforming a cross-reference; creating s. 448.26, F.S.; providing for application of pt. II of ch. 448, F.S., the Labor Pool Act; providing an effective date.

—a companion measure, was substituted for **CS for SB 1166** and read the second time by title.

Pursuant to Rule 4.19, **HB 219** was placed on the calendar of Bills on Third Reading.

On motion by Senator Aronberg—

**CS for SB 1170**—A bill to be entitled An act relating to the Florida Trust Code; creating parts I, II, III, IV, V, VI, VII, VIII, IX, X, XI, XII, and XIII of chapter 736, F.S.; providing a short title; providing general provisions and definitions; providing for judicial proceedings; providing for representations; providing for creation, validity, modification, and termination of trusts; providing for creditors' claims; providing for spendthrift, discretionary, and revocable trusts; providing for the office of trustee; providing for powers and duties of the trustee; providing for trust investments; providing for liability of trustee and rights of persons dealing with trustee; providing for rules of construction; providing for charitable trusts; providing miscellaneous provisions; creating s. 518.117, F.S.; authorizing investment of certain fiduciary funds by certain fiduciaries; amending s. 660.25, F.S.; providing a definition of the term "investment instrument"; amending s. 660.417, F.S.; revising provisions relating to investment of fiduciary funds in investment instruments by certain banks or trust companies; creating s. 689.175, F.S.; abolishing the worthier title doctrine; providing construction of certain instrument language; amending s. 731.103, F.S.; correcting a cross-reference; providing construction relating to establishment of death by certain evidence under certain circumstances; creating s. 731.1035, F.S.; providing for application of rules of evidence in civil actions to certain proceedings; amending s. 731.201, F.S.; revising definitions; conforming

terms and correcting cross-references; amending s. 731.303, F.S.; specifying nonapplication of certain orders relating to powers of revocation and powers of appointment; revising provisions relating to representation by a holder of a power of appointment; amending s. 732.513, F.S.; deleting a ground protecting a devise's validity; amending s. 732.603, F.S.; revising provisions relating to antilapse, deceased devisees, and class gifts; amending s. 744.331, F.S.; revising provisions relating to orders determining incapacity; amending s. 744.441, F.S.; revising authority of certain guardians to prosecute or defend claims or proceedings for certain purposes; specifying duties of a court; creating s. 744.462, F.S.; providing requirements for judicial determinations relating to alternatives to guardianship; providing duties of a court; amending ss. 497.458, 607.0802, 617.0802, 660.46, 660.418, 689.071, 689.075, 709.08, 721.08, 721.53, 732.2075, 732.604, 732.611, 733.212, 733.602, 733.805, 733.817, 738.104, 738.1041, 738.202, 739.102, and 744.361, F.S., to conform terms and correct cross-references; repealing ss. 737.101, 737.105, 737.106, 737.111, 737.115, and 737.116, constituting part I of ch. 737, F.S., relating to trust registration; repealing ss. 737.201, 737.202, 737.203, 737.2035, 737.204, 737.2041, 737.205, 737.206, 737.2065, 737.207, 737.208, and 737.209, constituting part II of ch. 737, F.S., relating to jurisdiction of courts; repealing ss. 737.301, 737.302, 737.303, 737.3035, 737.304, 737.305, 737.3053, 737.3054, 737.3055, 737.306, 737.3061, 737.307, 737.308, and 737.309, constituting part III of ch. 737, F.S., relating to duties and liabilities of trustees; repealing ss. 737.401, 737.402, 737.4025, 737.403, 737.4031, 737.4032, 737.4033, 737.404, 737.405, and 737.406, constituting part IV of ch. 737, F.S., relating to powers of trustees; repealing ss. 737.501, 737.502, 737.503, 737.504, 737.505, 737.506, 737.507, 737.508, 737.509, 737.510, 737.511, and 737.512, constituting part V of ch. 737, F.S., relating to charitable trusts; repealing ss. 737.6035, 737.621, 737.622, 737.623, 737.624, 737.625, 737.626, and 737.627, consisting of part VI of ch. 737, F.S., relating to rules of construction of trust administration; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1170** was placed on the calendar of Bills on Third Reading.

On motion by Senator Saunders—

**CS for SB 1690**—A bill to be entitled An act relating to physician assistants; amending ss. 458.331 and 459.015, F.S.; appointing a physician assistant to probable cause panels of the Board of Medicine and the Board of Osteopathic Medicine considering discipline of physician assistants; providing qualifications for the physician assistants appointed to the panels; exempting the appointed physician assistants from certain training requirements concerning the grounds for disciplinary action; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 1690** was placed on the calendar of Bills on Third Reading.

On motion by Senator Rich—

**CS for SB 484**—A bill to be entitled An act relating to cruelty to animals; amending s. 828.12, F.S.; increasing certain minimum mandatory fines and periods of incarceration for certain acts of cruelty to animals; providing applicability; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for SB 484** was placed on the calendar of Bills on Third Reading.

On motion by Senator Geller—

**CS for CS for SB 1556**—A bill to be entitled An act relating to condominiums; amending s. 718.117, F.S.; substantially revising provisions relating to the termination of the condominium form of ownership of a property; providing legislative findings; providing grounds for termination; providing powers and duties of the board of administration of the association; waiving certain notice requirements following natural disasters; providing requirements for a plan of termination; providing for

the allocation of proceeds from the sale of condominium property; providing powers and duties of a termination trustee; providing notice requirements; providing a procedure for contesting a plan of termination; providing rules for the distribution of property and sale proceeds; providing for the association's status following termination; allowing the creation of another condominium by the trustee; specifying an exclusion; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1556** was placed on the calendar of Bills on Third Reading.

On motion by Senator Margolis—

**CS for CS for SB 1450**—A bill to be entitled An act relating to license plates; amending ss. 320.08056 and 320.08058, F.S.; creating a Donate Organs-Pass It On license plate; providing for the distribution of annual use fees received from the sale of such plates; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 1450** was placed on the calendar of Bills on Third Reading.

On motion by Senator Haridopolos, by two-thirds vote **HB 95** was withdrawn from the Committees on Regulated Industries; Health Care; and Criminal Justice.

On motion by Senator Haridopolos—

**HB 95**—A bill to be entitled An act relating to alcoholic beverages; creating s. 562.61, F.S.; providing a definition of the term “alcohol vaporizing device”; prohibiting the sale, offer for sale, purchase, or use of machines or devices which vaporize alcohol; providing penalties; providing a fine; providing that the provisions of the section do not apply to the administration or prescription of a product that contains alcohol by certain licensed health care practitioners; providing an effective date.

—a companion measure, was substituted for **CS for SB 1154** and read the second time by title.

Pursuant to Rule 4.19, **HB 95** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bennett—

**CS for CS for SB 262**—A bill to be entitled An act relating to administrative procedures; amending s. 11.60, F.S.; revising duties of the Administrative Procedures Committee with respect to its review of statutes; amending s. 57.111, F.S.; redefining the term “small business” to include certain specified individuals whose net worth does not exceed a specified amount; amending s. 120.54, F.S.; requiring an agency to file a notice of change with the Administrative Procedures Committee; revising times for filing rules for adoption; providing an exception to the term “administrative determination” for purposes of rule adoption; providing for the form and provisions of bonds; revising applicability of certain uniform rules; providing additional content for uniform rules; amending s. 120.55, F.S.; requiring that certain information be included in forms incorporated by reference in rules; requiring information to be published electronically on an Internet website; providing that such publication does not preclude other publications; providing additional duties of the Department of State with respect to publications; providing requirements for the Internet website; amending s. 120.551, F.S.; postponing the repeal of this section, relating to Internet publication; amending s. 120.56, F.S.; revising provisions relating to withdrawal of challenged rules; amending s. 120.569, F.S.; prescribing circumstances under which the time for filing a petition for hearing must be extended; amending s. 120.57, F.S.; requiring a final order to include an explicit ruling on each exception to the recommended order; requiring that additional information be included in notices relating to protests of contract solicitations or awards; amending s. 120.65, F.S.; requiring the Division of Administrative Hearings to include certain recommendations and information in its annual report to the Administrative Procedures Committee; amend-

ing s. 120.74, F.S.; requiring agency reports to be filed with the Administrative Procedures Committee; requiring that the annual report filed by an agency identify the types of cases or disputes in which it is involved which should be conducted under the summary hearing process; requiring the Department of State to provide certain assistance to agencies in their transition to publishing on the Florida Administrative Weekly Internet website; providing effective dates.

—was read the second time by title.

Senator Bennett moved the following amendment which was adopted:

**Amendment 1 (151598)(with title amendment)**—On page 17, line 12 through page 19, line 5, delete those lines and insert:

Section 5. Paragraph (b) of subsection (2) of section 120.56, Florida Statutes, is amended to read:

120.56 Challenges to rules.—

(2) CHALLENGING PROPOSED RULES; SPECIAL PROVISIONS.—

(b) The administrative law judge may declare the proposed rule wholly or partly invalid. *Unless the decision of the administrative law judge is reversed on appeal*, the proposed rule or provision of a proposed rule declared invalid shall be withdrawn by the adopting agency and shall not be adopted. ~~No rule shall be filed for adoption until 28 days after the notice required by s. 120.54(3)(a), until 21 days after the notice required by s. 120.54(3)(d), until 14 days after the public hearing, until 21 days after preparation of a statement of estimated regulatory costs required pursuant to s. 120.541, or until the administrative law judge has rendered a decision, whichever applies.~~ However, the agency may proceed with all other steps in the rulemaking process, including the holding of a factfinding hearing. In the event part of a proposed rule is declared invalid, the adopting agency may, in its sole discretion, withdraw the proposed rule in its entirety. The agency whose proposed rule has been declared invalid in whole or part shall give notice of the decision in the first available issue of the Florida Administrative Weekly.

Section 6. Paragraph (c) of subsection (2) of section 120.569, Florida Statutes, is amended to read:

120.569 Decisions which affect substantial interests.—

(2)

(c) Unless otherwise provided by law, a petition or request for hearing shall include those items required by the uniform rules adopted pursuant to s. 120.54(5)(b)4. Upon the receipt of a petition or request for hearing, the agency shall carefully review the petition to determine if it contains all of the required information. A petition shall be dismissed if it is not in substantial compliance with these requirements or it has been untimely filed. Dismissal of a petition shall, at least once, be without prejudice to petitioner's filing a timely amended petition curing the defect, unless it conclusively appears from the face of the petition that the defect cannot be cured. The agency shall promptly give written notice to all parties of the action taken on the petition, shall state with particularity its reasons if the petition is not granted, and shall state the deadline for filing an amended petition if applicable. *This paragraph does not eliminate the availability of equitable tolling as a defense to the untimely filing of a petition.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 27 through page 2, line 3, delete those lines and insert: requirements for the Internet website; amending s. 120.56, F.S.; revising provisions relating to withdrawal of challenged rules; amending s. 120.569, F.S.; providing for equitable tolling as a defense to the untimely filing of a petition; amending

Pursuant to Rule 4.19, **CS for CS for SB 262** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

On motion by Senator Baker—

**CS for CS for SB 170**—A bill to be entitled An act relating to administration of medication; amending s. 393.506, F.S.; deleting requirements for unlicensed staff members of direct care service facilities to administer prescribed medications to persons with developmental disabilities; authorizing direct service providers to administer medication to clients or to supervise the self-administration of medication by clients; providing requirements for direct service providers to demonstrate competency regarding supervising the self-administration of medication by clients or administering medication to clients; requiring the Agency for Persons with Disabilities to adopt rules to establish standards and procedures governing the supervision of self-administered medications and the administration of medications by direct service providers; providing an effective date.

—was read the second time by title.

Pursuant to Rule 4.19, **CS for CS for SB 170** was placed on the calendar of Bills on Third Reading.

On motion by Senator Bullard—

**SB 676**—A bill to be entitled An act relating to designations; creating s. 15.052, F.S.; designating key lime pie as the official state pie; providing an effective date.

—was read the second time by title.

Senator Clary offered the following amendment which was moved by Senator Peadar and adopted:

**Amendment 1 (534994)(with title amendment)**—On page 1, between lines 12 and 13, insert:

Section 2. Section 15.0337, Florida Statutes, is created to read:

*15.0337 State rock.—The Ocala Limestone, a cream to white porous limestone containing abundant fossils, found throughout Florida and one of most permeable rock units of the Floridan aquifer system, is designated the Florida state rock.*

Section 3. Section 15.0338, Florida Statutes, is created to read:

*15.0338 State mineral.—Calcite, the major rock-forming mineral of limestone, occurring commonly as translucent crystals of vitreous luster, colorless to honey-colored, having the chemical composition of calcium carbonate, is designated the Florida state mineral.*

Section 4. Section 15.0339, Florida Statutes, is created to read:

*15.0339 State fossil.—The Eocene Heart Urchin, Eupatagus antillarum. This Late Eocene age irregular echinoid is similar to the heart urchins of modern tropical seas. It lived buried in the bottom sediments of the shallow seas that covered Florida 38 million years ago. The fossilized shell of this species is commonly found in the Ocala Limestone and Avon Park formations. The Eocene Heart Urchin is designated the Florida state fossil.*

(Redesignate subsequent sections.)

And the title is amended as follows:

On page 1, line 4, following the semicolon (;) insert: creating s. 15.0337, F.S.; designating Ocala Limestone as the state rock; creating s. 15.0338, F.S.; designating calcite as the state mineral; creating s. 15.0339, F.S.; designating the Eocene Heart Urchin as the state fossil;

Pursuant to Rule 4.19, **SB 676** as amended was ordered engrossed and then placed on the calendar of Bills on Third Reading.

**CS for SB 1716**—A bill to be entitled An act relating to state planning and budgeting; amending s. 11.90, F.S.; revising the membership of the Legislative Budget Commission; providing for the appointment of presiding officers; revising requirements for meetings and a quorum; revising requirements for appointing the staff of the commission; requiring the commission to review budget amendments recommended by the

Governor or Chief Justice; authorizing the commission to perform other duties prescribed by the Legislature; creating s. 11.91, F.S.; creating the Government Efficiency Task Force for the purpose of recommending improvements to governmental operations and cost reductions; providing for the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint its members; requiring that the task force meet at 4-year intervals beginning on a specified date; authorizing the task force to conduct meetings through teleconferences; providing for members to be reimbursed for per diem and travel expenses; requiring the task force to complete its work within 1 year and report to the Legislative Budget Commission, the Governor, and the Chief Justice of the Supreme Court; amending s. 29.0095, F.S.; requiring the legislative appropriations committees to prescribe the format of budget expenditure reports; amending s. 100.371, F.S.; specifying that the Financial Impact Estimating Conference is within the legislative branch of government and under the direction of the President of the Senate and the Speaker of the House of Representatives; revising provisions governing public meetings of the conference; amending s. 216.011, F.S.; redefining the term "consultation" and defining the term "long-range financial outlook" for purposes of state fiscal affairs; creating s. 216.012, F.S.; providing requirements for the long-range financial outlook prepared by the Legislative Budget Commission; requiring state agencies to provide certain information; prescribing authority of the commission with respect to such information; specifying timeframes for the commission in completing the long-range financial outlook; amending s. 216.023, F.S.; clarifying certain requirements for legislative budget instructions; amending s. 216.065, F.S.; requiring that fiscal impact statements be provided to the Legislative Budget Commission in addition to the legislative appropriations committees; requiring that such statements contain information concerning subsequent fiscal years; amending s. 216.162, F.S.; revising the date for the Governor's recommended budget to be furnished to the Legislature; authorizing the presiding officers of the Legislature to approve submission of the Governor's recommended budget at a later date than otherwise required; amending s. 216.178, F.S.; extending the deadline for production of the final budget; providing a contingent effective date.

—was read the second time by title.

On motion by Senator Atwater, further consideration of **CS for SB 1716** was deferred.

By direction of the President, the rules were waived and the Senate reverted to—

### BILLS ON THIRD READING

Consideration of **HB 145** was deferred.

**SB 2340**—A bill to be entitled An act relating to trust funds; creating s. 20.3151, F.S.; creating the Administrative Trust Fund within the Department of Corrections; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 2340** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Clary	Hill
Alexander	Constantine	Jones
Argenziano	Crist	King
Aronberg	Dawson	Klein
Atwater	Diaz de la Portilla	Lawson
Baker	Dockery	Lynn
Bennett	Fasano	Margolis
Bullard	Garcia	Miller
Campbell	Geller	Peaden
Carlton	Haridopolos	Posey

Pruitt	Siplin	Webster
Rich	Smith	Wilson
Saunders	Villalobos	Wise
Sebesta		
Nays—None		

**SB 2342**—A bill to be entitled An act relating to trust funds; creating s. 945.21503, F.S.; creating the Federal Grants Trust Fund within the Department of Corrections; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 2342** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

### THE PRESIDENT PRESIDING

**SB 2344**—A bill to be entitled An act relating to trust funds; creating s. 943.367, F.S.; creating the Administrative Trust Fund within the Department of Law Enforcement; providing for sources of funds and purposes; providing for annual carryforward of funds; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 2344** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

**SB 2346**—A bill to be entitled An act relating to trust funds; creating s. 943.366, F.S.; creating the Federal Grants Trust Fund within the



Department of Law Enforcement; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 2346** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—39

Mr. President	Diaz de la Portilla	Miller
Alexander	Dockery	Peaden
Argenziano	Fasano	Posey
Atwater	Garcia	Pruitt
Baker	Geller	Rich
Bennett	Haridopolos	Saunders
Bullard	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Villalobos
Constantine	Lawson	Webster
Crist	Lynn	Wilson
Dawson	Margolis	Wise

Nays—None

Vote after roll call:

Yea—Aronberg

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**CS for SB 2348**—A bill to be entitled An act relating to trust funds; amending s. 25.241, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state court system; amending s. 25.383, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state courts system; creating s. 25.3844, F.S.; creating the Operating Trust Fund within the state courts system; providing for sources of funds and purposes; providing for future review and termination or re-creation of the trust fund; amending s. 29.0195, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state courts system; amending s. 35.22, F.S.; directing that certain fees be deposited into the Operating Trust Fund of the state courts system; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **CS for SB 2348** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—38

Mr. President	Dawson	Margolis
Alexander	Diaz de la Portilla	Miller
Argenziano	Dockery	Peaden
Aronberg	Fasano	Posey
Atwater	Garcia	Pruitt
Baker	Geller	Rich
Bennett	Haridopolos	Saunders
Bullard	Hill	Sebesta
Campbell	Jones	Siplin
Carlton	King	Smith
Clary	Klein	Wilson
Constantine	Lawson	Wise
Crist	Lynn	

Nays—None

Vote after roll call:

Yea—Villalobos, Webster

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**SB 2350**—A bill to be entitled An act relating to trust funds; creating s. 25.3842, F.S.; creating the Federal Grants Trust Fund within the state courts system; providing for sources of funds and purposes; providing for

future review and termination or re-creation of the trust fund; providing an effective date.

—was read the third time by title.

On motion by Senator Crist, **SB 2350** was passed by the required constitutional three-fifths vote of the membership and certified to the House. The vote on passage was:

Yeas—40

Mr. President	Diaz de la Portilla	Peaden
Alexander	Dockery	Posey
Argenziano	Fasano	Pruitt
Aronberg	Garcia	Rich
Atwater	Geller	Saunders
Baker	Haridopolos	Sebesta
Bennett	Hill	Siplin
Bullard	Jones	Smith
Campbell	King	Villalobos
Carlton	Klein	Webster
Clary	Lawson	Wilson
Constantine	Lynn	Wise
Crist	Margolis	
Dawson	Miller	

Nays—None

### SPECIAL ORDER CALENDAR, continued

On motion by Senator Atwater, the Senate resumed consideration of—

**CS for SB 1716**—A bill to be entitled An act relating to state planning and budgeting; amending s. 11.90, F.S.; revising the membership of the Legislative Budget Commission; providing for the appointment of presiding officers; revising requirements for meetings and a quorum; revising requirements for appointing the staff of the commission; requiring the commission to review budget amendments recommended by the Governor or Chief Justice; authorizing the commission to perform other duties prescribed by the Legislature; creating s. 11.91, F.S.; creating the Government Efficiency Task Force for the purpose of recommending improvements to governmental operations and cost reductions; providing for the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint its members; requiring that the task force meet at 4-year intervals beginning on a specified date; authorizing the task force to conduct meetings through teleconferences; providing for members to be reimbursed for per diem and travel expenses; requiring the task force to complete its work within 1 year and report to the Legislative Budget Commission, the Governor, and the Chief Justice of the Supreme Court; amending s. 29.0095, F.S.; requiring the legislative appropriations committees to prescribe the format of budget expenditure reports; amending s. 100.371, F.S.; specifying that the Financial Impact Estimating Conference is within the legislative branch of government and under the direction of the President of the Senate and the Speaker of the House of Representatives; revising provisions governing public meetings of the conference; amending s. 216.011, F.S.; redefining the term “consultation” and defining the term “long-range financial outlook” for purposes of state fiscal affairs; creating s. 216.012, F.S.; providing requirements for the long-range financial outlook prepared by the Legislative Budget Commission; requiring state agencies to provide certain information; prescribing authority of the commission with respect to such information; specifying timeframes for the commission in completing the long-range financial outlook; amending s. 216.023, F.S.; clarifying certain requirements for legislative budget instructions; amending s. 216.065, F.S.; requiring that fiscal impact statements be provided to the Legislative Budget Commission in addition to the legislative appropriations committees; requiring that such statements contain information concerning subsequent fiscal years; amending s. 216.162, F.S.; revising the date for the Governor’s recommended budget to be furnished to the Legislature; authorizing the presiding officers of the Legislature to approve submission of the Governor’s recommended budget at a later date than otherwise required; amending s. 216.178, F.S.; extending the deadline for production of the final budget; providing a contingent effective date.

—which was previously considered this day.

Pursuant to Rule 4.19, **CS for SB 1716** was placed on the calendar of Bills on Third Reading.

The Committee on Judiciary recommends the following pass: SB 1956

### SPECIAL GUEST

Senator Pruitt introduced the First Lady of Florida, Columba Bush, who was present in the gallery.

By direction of the President, the rules were waived and the Senate reverted to—

### BILLS ON THIRD READING

**HB 145**—A bill to be entitled An act relating to apportionment of damages in civil actions; amending s. 768.81, F.S.; deleting exceptions to a requirement for liability based on percentage of fault instead of joint and several liability; providing applicability; providing an effective date.

—was read the third time by title.

On motion by Senator Webster, **HB 145** was passed and certified to the House. The vote on passage was:

Yeas—27

Mr. President	Constantine	Lynn
Alexander	Crist	Margolis
Argenziano	Dawson	Peadar
Atwater	Diaz de la Portilla	Posey
Baker	Dockery	Pruitt
Bennett	Fasano	Saunders
Bullard	Garcia	Sebesta
Carlton	Haridopolos	Webster
Clary	King	Wise

Nays—13

Aronberg	Klein	Siplin
Campbell	Lawson	Smith
Geller	Miller	Villalobos
Hill	Rich	Wilson
Jones		

### MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Margolis, by two-thirds vote **SB 1448** was withdrawn from the committees of reference and further consideration.

On motion by Senator Rich, by two-thirds vote **SB 1184** was withdrawn from the committees of reference and further consideration.

On motion by Senator Pruitt, by two-thirds vote **CS for SB 218** was withdrawn from the Committees on Judiciary; Government Efficiency Appropriations; Ways and Means; and Rules and Calendar; and referred to the Committee on Criminal Justice; **CS for SB 720** was withdrawn from the Committees on Transportation and Economic Development Appropriations; and Rules and Calendar; **CS for SB 990** was withdrawn from the Committees on Domestic Security; Transportation and Economic Development Appropriations; General Government Appropriations; Ways and Means; and Rules and Calendar; and referred to the Committees on Environmental Preservation; Criminal Justice; and General Government Appropriations; and **SB 1000** was also referred to the Committee on Ways and Means.

### REPORTS OF COMMITTEES

The Committee on Rules and Calendar submits the following bills to be placed on the Special Order Calendar for Thursday, March 30, 2006: CS for SB 1278, CS for SB 1716, SB 1032, SB 1614, CS for SB 1350, CS for SB 1166, CS for SB 1170, CS for SB 1690, CS for SB 484, CS for CS for SB 1556, CS for CS for SB 1450, CS for SB 1154, CS for CS for SB 262, CS for CS for SB 170, SB 676

Respectfully submitted,  
Ken Pruitt, Chair

**The bill was referred to the Committee on Banking and Insurance under the original reference.**

The Committee on Health Care recommends the following pass: SB 2288 with 1 amendment

**The bill was referred to the Committee on Children and Families under the original reference.**

The Committee on Criminal Justice recommends the following pass: CS for SB 1742 with 1 amendment

**The bill was referred to the Committee on Domestic Security under the original reference.**

The Committee on Judiciary recommends the following pass: SB 2174

**The bill was referred to the Committee on General Government Appropriations under the original reference.**

The Committee on Criminal Justice recommends the following pass: SB 2150

**The bill was referred to the Committee on Health Care under the original reference.**

The Committee on Criminal Justice recommends the following pass: SB 1126, SB 1844 with 1 amendment, SB 1904, SB 1992 with 1 amendment, SB 2014

The Committee on Health Care recommends the following pass: SB 2686 with 3 amendments

**The bills contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

The Committee on Governmental Oversight and Productivity recommends the following pass: CS for SB 362

The Committee on Judiciary recommends the following pass: CS for SB 730

**The bills contained in the foregoing reports were referred to the Committee on Justice Appropriations under the original reference.**

The Committee on Criminal Justice recommends the following pass: SB 2296

**The bill was referred to the Committee on Transportation under the original reference.**

The Committee on Judiciary recommends the following pass: SB 124

The Committee on Ways and Means recommends the following pass: CS for SB 390, CS for SB 394, CS for SB 398, CS for SB 818, CS for SB 840

**The bills contained in the foregoing reports were placed on the calendar.**

The Committee on Education recommends a committee substitute for the following: SB 1876

**The bill with committee substitute attached was referred to the Committee on Children and Families under the original reference.**

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The Committee on Criminal Justice recommends a committee substitute for the following: SB 190

The Committee on Education recommends a committee substitute for the following: SB 2326

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Commerce and Consumer Services under the original reference.**

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The Committee on Education recommends a committee substitute for the following: SB 2480

**The bill with committee substitute attached was referred to the Committee on Community Affairs under the original reference.**

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The Committee on Commerce and Consumer Services recommends a committee substitute for the following: SB 2580

The Committee on Education recommends a committee substitute for the following: SB 1016

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Education Appropriations under the original reference.**

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The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1024

**The bill with committee substitute attached was referred to the Committee on General Government Appropriations under the original reference.**

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The Committee on Commerce and Consumer Services recommends a committee substitute for the following: CS for SB 1388

The Committee on Community Affairs recommends a committee substitute for the following: SB 350

The Committee on Criminal Justice recommends a committee substitute for the following: CS for SB 2020

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Government Efficiency Appropriations under the original reference.**

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The Committee on Community Affairs recommends a committee substitute for the following: SB 132

The Committee on Criminal Justice recommends a committee substitute for the following: SB 1552

The Committee on Education recommends a committee substitute for the following: CS for SB 2280

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Governmental Oversight and Productivity under the original reference.**

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The Committee on Community Affairs recommends a committee substitute for the following: CS for SB 1510

**The bill with committee substitute attached was referred to the Committee on Health and Human Services Appropriations under the original reference.**

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 1274, SB 2112, SB 2114

**The bills with committee substitutes attached were referred to the Committee on Health Care under the original reference.**

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The Committee on Commerce and Consumer Services recommends committee substitutes for the following: SB 498, SB 2186

The Committee on Community Affairs recommends committee substitutes for the following: SB 218, CS for SB 638

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1454, SB 2018

The Committee on Ethics and Elections recommends a committee substitute for the following: SB 720

The Committee on Governmental Oversight and Productivity recommends a committee substitute for the following: SB 1632

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Judiciary under the original reference.**

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The Committee on Banking and Insurance recommends a committee substitute for the following: CS for SB 166

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: CS for SB 158

The Committee on Criminal Justice recommends committee substitutes for the following: SB 1398, SB 1418

**The bills with committee substitutes attached contained in the foregoing reports were referred to the Committee on Justice Appropriations under the original reference.**

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The Committee on Governmental Oversight and Productivity recommends committee substitutes for the following: SB 696, SB 698, SB 700, SB 792, CS for SB 1212

**The bills with committee substitutes attached were referred to the Committee on Rules and Calendar under the original reference.**

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The Committee on Banking and Insurance recommends committee substitutes for the following: SB 570, CS for SB 656

The Committee on Commerce and Consumer Services recommends a committee substitute for the following: CS for SB 1328

The Committee on Community Affairs recommends a committee substitute for the following: SB 1290

**The bills with committee substitutes attached contained in the foregoing reports were placed on the calendar.**

## COMMITTEE SUBSTITUTES

### FIRST READING

By the Committee on Community Affairs; and Senator Bennett—

**CS for SB 132**—A bill to be entitled An act relating to affordable housing; creating ss. 125.379 and 166.0451, F.S., relating to counties and municipalities, respectively; requiring county and municipal staff to prepare an inventory list of all real property to which the county or municipality holds fee simple title by a specified date and triennially thereafter; requiring planning staff to identify real property that is appropriate for use as affordable housing; specifying a time period for completion of the inventory and identification of surplus real property; requiring public hearings; requiring the county or municipality to approve the inventory

list; specifying a time for the first public hearing and adoption of the resolution; requiring that the properties identified as appropriate for use as affordable housing to become immediately available; prescribing the options the county or municipality have to dispose of the surplus lands for affordable housing; providing requirements for certain deed restrictions; providing definitions; amending s. 163.3180, F.S.; exempting certain manufactured housing developments from concurrency requirements; providing a statement of important state interest; amending s. 189.4155, F.S.; authorizing a special district to provide housing and housing assistance for employees; amending s. 191.006, F.S.; authorizing an independent special district to provide housing and housing assistance for its employees; creating s. 196.1981, F.S.; providing that the actual rental income from certain rent-restricted units be recognized by property appraisers as the rents for assessment purposes; amending s. 197.252, F.S.; decreasing the age and increasing the income threshold required for eligibility to defer ad valorem property taxes; decreasing the maximum interest rate that may be charged on deferred ad valorem taxes; amending s. 201.15, F.S.; revising the distributions of portions of the excise tax on documents to the State Housing Trust Fund for purposes of preserving the rights of holders of affordable housing guarantees; amending s. 215.619, F.S.; revising certain provisions relating to Everglades restoration bonds; amending s. 220.183, F.S.; providing separate annual limitations for tax credits against the corporate income tax for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; amending s. 253.034, F.S.; authorizing a local government to request that state lands be declared surplus lands in order to provide affordable housing; providing options for disposing of surplus state lands that are used for affordable housing; deleting obsolete provisions; amending s. 295.16, F.S.; expanding an exemption from certain fees relating to structural improvements to a disabled veteran's residence; amending s. 380.06, F.S.; revising the criteria under which a proposed change to the development constitutes a substantial deviation; amending s. 380.0651, F.S.; revising the statewide guidelines for developments of regional impact to review certain types of developments; amending s. 420.0004, F.S.; defining the term "extremely-low-income persons"; amending s. 420.503, F.S.; redefining the term "farmworker" for purposes of the use of certain federal funds by the Florida Housing Finance Corporation; amending s. 420.507, F.S.; revising certain loan and interest rate provisions relating to the State Apartment Incentive Loan Program; authorizing the use of loans issued under the Florida Homeownership Assistance Program for property acquisition; authorizing the Florida Housing Finance Corporation to establish subsidiary business entities for specified purposes; authorizing the Florida Housing Finance Corporation to adopt rules allowing the corporation to take action to avoid default of program loans; authorizing the Florida Housing Finance Corporation to adopt rules requiring the reporting of certain data concerning housing financed through corporation programs; authorizing the Florida Housing Finance Corporation to administer certain funds appropriated for disaster recovery; amending s. 420.5087, F.S.; revising the population thresholds for the categories used to allocate funds to counties under the State Apartment Incentive Loan Program; reducing the percentage of the loan amount which the sponsor of a housing community for the elderly must commit to match in order to receive the loan under the State Apartment Incentive Loan Program; providing that certain loans made under the State Apartment Incentive Loan Program may be made coterminous with other liens that have terms in excess of 15 years; authorizing the Florida Housing Finance Corporation to waive certain requirements for projects that serve extremely-low-income families; deleting certain obsolete provisions; providing for the inclusion of housing units for extremely-low-income families as a criterion in the competitive application process; clarifying the Florida Housing Finance Corporation's authority regarding the sale, transfer, or refinancing of certain projects; amending s. 420.5088, F.S.; providing that the Homeownership Assistance Program may assist moderate-income persons in purchasing a home; increasing the income limit served by the Homeownership Assistance Program; increasing the limit on loan amounts for homes purchased through the Homeownership Assistance Program; increasing the percentage of the state or local median income below which personal or family income must fall in order to purchase a home under the Florida Homeownership Assistance Program; deleting a provision requiring the reservation of certain housing funds for a period of 9 months; amending s. 420.9075, F.S.; providing for calculating the average area purchase price for eligible housing under

the State Housing Initiatives Partnership Act in the manner established by the United States Department of the Treasury; creating s. 420.9077, F.S.; creating the Community Housing Innovation Program within the State Housing Initiatives Program; providing legislative findings; requiring the program to provide funds for the housing needs of specified entities; providing certain incentives for program applicants; providing for funding and conditions for funding; requiring the Florida Housing Finance Corporation to establish selection criteria for applicants; providing that funding for the Community Housing Innovation Program is separate from the appropriation for the provisions of ss. 420.907-420.9078, F.S.; providing an expiration date; amending s. 420.9079, F.S.; authorizing the Florida Housing Finance Corporation to request certain funds for compliance monitoring; amending s. 624.5105, F.S.; providing separate annual limitations for tax credits against the insurance premium tax for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; amending s. 1001.42, F.S.; authorizing school district boards to provide affordable housing for certain teachers and other instructional personnel; directing the Department of Community Affairs to develop a model residential density bonus ordinance for use by local governments; providing an appropriation to local governments to implement the programs established in the act; authorizing the Florida Housing Finance Corporation to adopt emergency rules; reenacting ss. 161.05301(1), 161.091(3), 370.0603(3), 420.5092(5) and (6), 420.9073, 1013.64(7), and 1013.738(4), F.S., relating to beach erosion control projects, beach management funding, the Marine Resources Conservation Trust Fund, the Florida Affordable Housing Guarantee Program, distributions for local housing programs, comprehensive educational plant needs, and a high growth grant program, respectively, to incorporate the amendments made to s. 201.15, F.S., in a reference thereto; reenacting s. 420.530(1), F.S., relating to the state farmworker housing pilot loan program, to incorporate the amendments made to s. 402.503, F.S., in a reference thereto; reenacting ss. 163.31771(2) and 196.1978, F.S., relating to accessory dwelling units and affordable housing property tax exemption, to incorporate the amendments made to s. 402.0004, F.S., in references thereto; amending s. 212.08, F.S.; providing separate annual limitations for tax credits against the sales and use tax for donations made to eligible sponsors for projects that provides homeownership opportunities for certain households and for donations made to eligible sponsors for all other projects; eliminating the requirement that the Office of Tourism, Trade, and Economic Development reserve portions of certain annual tax credits for donations made to eligible sponsors for projects that provide homeownership opportunities for certain households; reenacting s. 420.503(19), F.S., relating to defining terms for the Florida Housing Finance Corporation, to incorporate the amendments made to s. 420.5087, F.S., in a reference thereto; reenacting s. 420.5061, F.S., relating to the transfer of assets and liabilities to the Florida Housing Finance Corporation, to incorporate the amendments made to s. 420.5088, F.S., in a reference thereto; reenacting s. 420.9071(25), F.S., relating to definitions pertaining to the state housing initiatives partnership, to incorporate the amendments made to s. 420.9075, F.S., in a reference thereto; reenacting s. 723.061(3), F.S., relating to grounds for eviction from a mobile home park, to incorporate the amendments made to s. 723.083, F.S., in a reference thereto; repealing ss. 420.37 and 420.530, F.S., relating to certain powers of the Florida Housing Finance Corporation and the state farmworker pilot loan program, respectively; amending s. 723.083, F.S.; providing that mobile homes are a permissible use in certain land use categories under specified circumstances; creating the Home Retrofit Hardening Program; authorizing the Florida Housing Finance Corporation to supply grants in order to fund improvements to homes constructed before the implementation of the current Florida Building Code when the improvements will directly affect the ability of the home to withstand hurricane force winds and improve the home's rating for home insurance; providing criteria for eligibility of grants; authorizing the corporation to provide funds for eligible entities for affordable housing recovery in those counties that were declared eligible for disaster funding after the hurricanes of 2004 and 2005 and that sustained housing damage due to those storms; authorizing the corporation to adopt emergency rules; providing effective dates.

By the Committees on Commerce and Consumer Services; Transportation; and Senators Lynn and Crist—

**CS for CS for SB 158**—A bill to be entitled An act relating to theft; amending s. 812.014, F.S.; providing that the theft of property that has been deployed by a law enforcement officer is grand theft in the first degree; providing criminal penalties; creating s. 812.0147, F.S.; providing that it is a second-degree felony to possess or use a fifth wheel to commit or attempt to commit theft; providing criminal penalties; amending s. 812.155, F.S.; deleting a requirement to prove fraudulent intent in prosecutions related to theft of personal property or equipment; providing that failure to return rental property within a specified time is evidence of abandonment or refusal to redeliver the property; deleting a provision that certain actions constitute prima facie evidence of fraudulent intent; deleting a provision specifying that the prohibition against obtaining personal property or equipment with intent to defraud does not apply to a rental-purchase agreement unless the rental store retains title to the property or equipment throughout the period of the rental-purchase agreement; amending s. 921.0022, F.S.; classifying the offense of stealing property deployed by a law enforcement officer under the offense severity ranking chart of the Criminal Punishment Code; reenacting s. 985.227(1)(a), F.S., relating to prosecution of juveniles as adults, in order to incorporate the amendment to s. 812.014, F.S., in a reference thereto; providing an effective date.

By the Committees on Banking and Insurance; Judiciary; and Senator Campbell—

**CS for CS for SB 166**—A bill to be entitled An act relating to foreclosure proceedings; amending s. 45.031, F.S.; adding a required statement for inclusion into a final judgment of foreclosure; requiring the clerk to furnish a copy of the final judgment to parties; revising information required to be provided in a notice of sale; amending the form of a certificate of disbursements; creating s. 45.032, F.S.; providing definitions; establishing a presumption of entitlement to surplus funds in certain filings; providing for disbursement of surplus funds by the clerk of court; giving a foreclosed owner 60 days to claim any surplus; providing a form to make a claim; providing that persons other than the foreclosed owner have 60 days to file a claim or be barred from recovery; providing for an evidentiary hearing; providing for appointment of a surplus trustee; providing time limits for the surplus trustee to act; creating s. 45.033, F.S.; providing requirements for a sale or assignment of rights to surplus funds in a foreclosure proceeding; creating a rebuttable presumption of entitlement to certain funds; providing requirements for transfers or assignments in rebuttal; providing for nonapplication to certain instruments; specifying absence of effect on title or marketability of certain property or validity of certain liens; creating s. 45.034, F.S.; providing qualifications of a surplus trustee; providing for appointment of a surplus trustee; providing fees; creating s. 45.035, F.S.; providing for fees to the clerk of the court in foreclosure actions; creating s. 501.2078, F.S.; providing definitions; providing a civil penalty for knowingly using unfair or deceptive homeowner victimization methods, acts, or practices in residential foreclosure proceedings; specifying the higher priority of an order of restitution or reimbursement over imposition of a civil penalty; providing for deposit of civil penalties into the Legal Affairs Revolving Trust Fund of the Department of Legal Affairs; allocating such funds for certain purposes; providing exceptions; specifying nonapplication to certain encumbrances; amending s. 702.035, F.S.; limiting costs chargeable in a foreclosure proceeding; providing an effective date.

By the Committee on Criminal Justice; and Senator Wise—

**CS for SB 190**—A bill to be entitled An act relating to seaport security; creating s. 311.111, F.S.; requiring the seaport authority or governing board of certain seaports to designate and identify security areas, access requirements, and security-enforcement authorizations on seaport premises and in seaport security plans; providing that any part of a port's property may be designated as a restricted-access area under certain conditions; amending s. 311.12, F.S.; revising the purpose of security plans maintained by seaports; requiring periodic plan revisions; requiring that plans be inspected by the Office of Drug Control and the Department of Law Enforcement based upon specified standards; providing requirements with respect to protection standards in specified restricted areas; requiring that certain potential security improvements

be presented to a regional domestic security task force and to the Domestic Security Oversight Council and considered for possible funding; requiring delivery of the plan to specified entities; requiring the Department of Law Enforcement to inspect every seaport to determine if all security measures adopted by the seaport are in compliance with seaport security standards; requiring a report; authorizing seaports to appeal findings in an inspection report by the Department of Law Enforcement; requiring the Domestic Security Oversight Council to establish a review process; requiring that the Department of Law Enforcement establish a waiver process to allow an individual who is otherwise unqualified to be allowed unescorted access to a seaport or restricted access area; requiring the administrative staff of the Parole Commission to review the facts of the waiver application and transmit the findings to the Department of Law Enforcement; requiring the department to make final disposition of the application and notify the applicant and the port authority that denied employment to the applicant; exempting the review from ch. 120, F.S.; providing procedures and requirements with respect to waiver of any physical-facility requirement or other requirement contained in the statewide minimum standards for seaport security; providing a penalty for possession of a concealed weapon while on seaport property in a designated restricted area; requiring that periodic review of the statewide minimum standards for seaport security be conducted under the Office of Drug Control within the Executive Office of the Governor; requiring the Office of Drug Control to convene an advisory council to review the statewide minimum standards for seaport security; providing membership standards for seaport security; providing membership, terms, organization, and meetings of the council; creating s. 311.121, F.S.; requiring the seaport authority or governing board of each seaport that is subject to statewide minimum seaport security standards to impose specified requirements for certification as a seaport security officer; creating the Seaport Security Officer Qualification, Training, and Standards Coordinating Council under the Department of Law Enforcement; providing membership and organization of the council; providing terms of members; providing duties and authority of the council; requiring the Department of Education to develop curriculum recommendations and specifications of the council into initial and continuing education and training programs for certification as a seaport security officer; providing requirements and procedures with respect to such training programs; providing requirements and procedures with respect to certification as a seaport security officer; providing requirements for renewal of inactive or revoked certification; creating s. 311.122, F.S.; authorizing each seaport in the state to create a seaport law enforcement agency for its facility; providing requirements of an agency; requiring certification of an agency; providing requirements with respect to the composition of agency personnel; providing powers of seaport law enforcement agency officers and seaport security officers; creating s. 311.123, F.S.; providing for the creation of a maritime domain security awareness training program; providing purpose of the program; providing requirements for the program training curriculum; creating s. 311.124, F.S.; authorizing seaport security officers to detain persons suspected of trespassing in a designated restricted area of a seaport; providing immunity from specified criminal or civil liability; creating s. 817.021, F.S.; providing a criminal penalty for providing false information in obtaining or attempting to obtain a seaport security identification card; providing an effective date.

By the Committee on Community Affairs; and Senator Bennett—

**CS for SB 218**—A bill to be entitled An act relating to the disturbance of assemblies; amending s. 871.01, F.S.; providing a penalty for willfully interrupting or disturbing an assembly of people met for the purpose of acknowledging the death of an individual with a military funeral honors detail; reenacting s. 871.02, F.S., relating to indictments or informations for disturbing assembly, for the purpose of incorporating the amendment to s. 871.01, F.S., in a reference thereto; providing an effective date

By the Committee on Community Affairs; and Senator Constantine—

**CS for SB 350**—A bill to be entitled An act relating to economic development incentives; amending s. 212.20, F.S.; providing for distribution of a portion of revenues from the tax on sales, use, and other transactions to specified units of local government owning eligible convention centers; providing limitations; requiring the Department of Revenue to prescribe certain forms; creating s. 288.1171, F.S.; providing for certification of units of local government owning eligible convention centers by

the Office of Tourism, Trade, and Economic Development; requiring the office to adopt specified rules; providing a definition; providing requirements for certification; providing for use of proceeds distributed to units of local government under the act; providing for revocation of certification; providing an effective date.

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By the Committee on Commerce and Consumer Services; and Senator Aronberg—

**CS for SB 498**—A bill to be entitled An act relating to domestic violence; amending s. 741.30, F.S.; providing for law enforcement officers to obtain verbal emergency protection orders immediately following incidents of domestic violence; providing for officers to reduce such orders to writing; providing for expiration of such orders; specifying procedures relating to such orders; creating s. 741.313, F.S.; defining the terms “domestic violence,” “employer,” “family or household member,” and “victim”; requiring that an employer permit an employee to take leave from work to undertake activities resulting from an act of domestic violence; specifying the activities for which the employee may take leave; requiring the employee to notify the employer of the leave; providing exceptions; requiring that an employer keep information relating to the employee’s leave confidential; prohibiting an employer from taking certain actions against the employee for exercising rights specified in the act; providing a recourse for violation of the act; amending s. 943.1702, F.S.; requiring collection of statistics on noncriminal judicial actions concerning domestic violence; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Bennett—

**CS for SB 570**—A bill to be entitled An act relating to pharmacy practice; amending s. 465.003, F.S.; redefining the term “practice of the profession of pharmacy” to include the administering of influenza virus immunizations to adults by a pharmacist within an established protocol and under a supervisory practitioner who is a licensed physician or by written agreement with a county health department; providing requirements for the protocol; requiring professional liability insurance, training and certification in immunization, and employer approval before entering into a protocol; requiring a pharmacist to maintain and make available patient records for a certain time period; providing requirements for the certification program; providing an effective date.

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By the Committees on Community Affairs; Criminal Justice; and Senator Clary—

**CS for CS for SB 638**—A bill to be entitled An act relating to public sheltering of sexual offenders and predators; amending s. 252.385, F.S.; requiring each county to plan for sufficient separate and exclusive shelter space for sexual offenders and sexual predators; providing an effective date.

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By the Committees on Banking and Insurance; Commerce and Consumer Services; and Senators Peaden, Haridopolos, Jones, Fasano, Baker, Crist, Lynn and Aronberg—

**CS for CS for SB 656**—A bill to be entitled An act relating to financial transactions; creating s. 501.005, F.S.; defining the term “security freeze”; authorizing a consumer to place a security freeze on his or her consumer report; providing procedures and requirements with respect to the placement, temporary suspension, and removal of a security freeze on a consumer report; authorizing a consumer to allow specified temporary access to his or her consumer report during a security freeze; providing procedures with respect to such temporary access; providing for removal of a security freeze when a consumer report is frozen due to a material misrepresentation of fact by the consumer; providing applicability; prohibiting a consumer reporting agency from charging a fee to a victim of identity theft who requests a security freeze on a consumer report; authorizing consumer reporting agencies to charge a fee to place, remove, or temporarily lift a security freeze and to reissue a personal identification number; restricting the change of specified information in a consumer report when a security freeze is in effect; specifying applicability with respect to certain consumer reporting agencies; specifying

entities that are exempt from placing a security freeze on a consumer report; providing for a civil remedy; providing requirements with respect to written disclosure by a consumer reporting agency of procedures and consumer rights associated with a security freeze; creating s. 655.851, F.S.; providing that credit balances that result from the performance of or participation in check-clearing functions are not subject to certain reporting requirements; providing an effective date.

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By the Committees on Governmental Oversight and Productivity; and Domestic Security—

**CS for SB 696**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act regarding security system plans; amending s. 119.071, F.S., which provides an exemption from public records requirements for security system plans for any property owned by or leased to the state or any of its political subdivisions and any privately owned or leased property; reorganizing provisions, making editorial changes, and removing superfluous language; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; amending s. 286.0113, F.S., which provides an exemption from public meetings requirements for a meeting that would reveal a security system plan or portion thereof; making editorial changes; removing the scheduled repeal of the exemption under the Open Government Sunset Review Act; providing an effective date.

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By the Committees on Governmental Oversight and Productivity; and Domestic Security—

**CS for SB 698**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 381.95, F.S., relating to an exemption from public-records requirements provided for information concerning medical facilities and laboratories which is maintained by the Department of Health as part of the state’s plan to defend against terrorism; reorganizing provisions, making editorial changes, and removing superfluous provisions; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

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By the Committees on Governmental Oversight and Productivity; and Domestic Security—

**CS for SB 700**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 395.1056, F.S., relating to exemptions from public-records requirements provided for portions of comprehensive emergency management plans which address a hospital’s response to terrorism and an exemption from public-meetings requirements provided for portions of public meetings which would reveal an emergency management plan that is exempt from disclosure; saving the exemptions from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemptions; providing for retroactive application of the exemptions; providing an effective date.

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By the Committee on Ethics and Elections; and Senator Posey—

**CS for SB 720**—A bill to be entitled An act relating to initiative procedures and standards; amending s. 99.097, F.S.; revising requirements for verification of signatures on petitions; providing requirements for initiative sponsors filing for undue burden; providing procedures to contest alleged improper signature verification; repealing s. 28, ch. 2005-278, Laws of Florida, relating to procedures for placement of initiatives on the ballot; amending s. 100.371, F.S.; revising procedures for placing an initiative on the ballot; providing requirements for information to be contained on petitions; providing procedure for revocation of a petition signature; requiring a statement on the ballot regarding the financial impact statement; providing regulation for initiative petition circulators and their activities; repealing s. 33, ch. 2005-278, Laws of Florida, relating to referenda and ballots; amending s. 101.161, F.S.; conforming a cross-reference; providing for verifying and counting signatures submitted for verification before the effective date of the act; requiring resub-

mission and reapproval of petition forms; providing for severability; providing effective dates.

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By the Committees on Governmental Oversight and Productivity; and Government Efficiency Appropriations—

**CS for SB 792**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 213.053, F.S., relating to an exemption from public-records requirements for information contained in returns, accounts, or declarations received by the Department of Revenue pursuant to ch. 202, F.S.; making organizational and grammatical changes; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions that provide for the repeal of the exemption; amending ss. 202.37, 206.27, 409.2577, 607.0130, 608.703, 617.01301, and 896.102, F.S.; conforming cross-references; providing an effective date.

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By the Committee on Education; and Senator Wise—

**CS for SB 1016**—A bill to be entitled An act relating to student financial assistance; creating s. 1009.893, F.S.; providing legislative intent; creating the Florida Independent Collegiate Assistance Grant Program to provide grants to certain students who attend nonpublic institutions of higher education and are enrolled in programs leading to specified occupations; requiring the Department of Education to administer the program; providing eligibility requirements; providing requirements for the criteria and priorities for funding; defining the term “eligible nonpublic institution of higher education”; requiring the adoption of rules; requiring the Office of Program Policy Analysis and Government Accountability to make certain assessments and submit a report to the Legislature; providing an effective date.

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By the Committee on Governmental Oversight and Productivity; and Senator Constantine—

**CS for SB 1024**—A bill to be entitled An act relating to deferred compensation programs; amending s. 112.215, F.S.; revising the term “employee” and defining the term “governmental entity”; authorizing governmental entities, by ordinance, contract agreement, or other documentation, to participate in the deferred compensation plan of the state and specifying responsibility of the Chief Financial Officer with respect thereto; revising the duties of the State Board of Administration regarding the establishment and management of deferred compensation plans for employees of governmental entities; amending s. 20.121, F.S., relating to the Department of Financial Services, to conform; providing effective dates.

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By the Committees on Governmental Oversight and Productivity; and Agriculture—

**CS for CS for SB 1212**—A bill to be entitled An act relating to a review under the Open Government Sunset Review Act; amending s. 403.067, F.S., relating to an exemption from public-records requirements provided for individual agricultural records of processes, methods of production, and costs which are not otherwise public records and which are reported to the Department of Agriculture and Consumer Services; saving the exemption from repeal under the Open Government Sunset Review Act; deleting provisions providing for the repeal of the exemption; providing an effective date.

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By the Committee on Banking and Insurance; and Senator Atwater—

**CS for SB 1274**—A bill to be entitled An act relating to plans, policies, contracts, and programs for the provision of health care services; amending s. 408.909, F.S.; revising eligibility requirements for participation in health flex plans; amending s. 627.642, F.S.; requiring an identification card containing specified information to be given to insureds who have health and accident insurance; amending s. 627.657, F.S.; requiring an identification card containing specified information to be given to insureds under group health insurance policies; amending s. 641.31, F.S.;

requiring an identification card to be given to persons having health care services through a health maintenance contract; amending ss. 383.145, 641.185, 641.2018, 641.3107, 641.3922, and 641.513, F.S.; conforming cross-references to changes made by the act; providing application; providing effective dates.

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By the Committee on Community Affairs; and Senator Fasano—

**CS for SB 1290**—A bill to be entitled An act relating to concealed weapons; amending s. 790.06, F.S.; providing that a licensee who is serving on active duty in any branch of the United States Armed Services and who is participating in the Global War on Terrorism on the date of the expiration of the license has an additional 180 days following the date the licensee returns to Florida in which to renew his or her license to carry a concealed weapon or a concealed firearm; providing an effective date.

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By the Committees on Commerce and Consumer Services; Criminal Justice; and Senator Crist—

**CS for CS for SB 1328**—A bill to be entitled An act relating to the unlawful taking of personal property or equipment; amending s. 812.014, F.S.; providing that the theft of property that has been deployed by a law enforcement officer is grand theft in the first degree; providing criminal penalties; creating s. 812.0147, F.S.; providing that it is a second-degree felony to possess or use a fifth wheel to commit or attempt to commit theft; providing criminal penalties; amending s. 812.155, F.S.; deleting the requirement to prove fraudulent intent in prosecutions related to the theft of personal property or equipment; providing that failure to return rental property within a specified time is evidence of abandonment or refusal to redeliver the property; deleting a provision that certain actions constitute prima facie evidence of fraudulent intent; deleting a provision specifying that the prohibition against obtaining personal property or equipment with intent to defraud does not apply to a rental-purchase agreement unless the rental store retains title to the property or equipment throughout the period of the rental-purchase agreement; amending s. 921.0022, F.S.; classifying the offense of stealing property deployed by a law enforcement officer under the offense severity ranking chart of the Criminal Punishment Code; reenacting s. 985.227(1)(a), F.S., relating to prosecution of juveniles as adults, in order to incorporate the amendment to s. 812.014, F.S., in a reference thereto; providing an effective date.

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By the Committees on Commerce and Consumer Services; Agriculture; and Senator Smith—

**CS for CS for SB 1388**—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 482.021, F.S.; revising the definitions of the terms “employee” and “independent contractor” for purposes of pest control regulation; amending s. 482.051, F.S.; revising certain requirements of the department to adopt rules relating to the use of pesticides for preventing subterranean termites in new construction; amending s. 482.091, F.S.; clarifying provisions governing the performance of pest control services; amending s. 482.156, F.S.; requiring certification of individual commercial landscape maintenance personnel; revising the types of materials such personnel may use; removing obsolete provisions relating to fees; revising criteria for eligibility to take the commercial landscape maintenance personnel examination; clarifying requirements relating to proof of education and insurance; amending s. 482.211, F.S.; clarifying exemption of certain mosquito-control activities from regulation; amending s. 500.033, F.S.; renaming the Florida Food Safety and Food Security Advisory Council as the Florida Food Safety and Food Defense Advisory Council and revising duties accordingly; creating s. 570.954, F.S.; providing a short title; providing legislative findings; providing purposes; providing definitions; establishing the Farm to Fuel Grants Program; providing criteria for distribution of grants; authorizing appointment of an advisory council; providing purposes; providing membership; authorizing the department to adopt rules; creating s. 220.192, F.S.; providing certain tax credits for certain producers of ethanol and biodiesel; authorizing the Department of Revenue to adopt certain rules relating to the tax credits; providing for future repeal of the tax credits; amending s. 582.06, F.S.; revising the membership of the Soil and Water Conservation Council;

amending s. 828.30, F.S.; updating references to the Rabies Vaccination Certificate; amending s. 403.067, F.S.; clarifying rules adopted by the department relating to best-management practices; clarifying the authority for certain measures to be implemented by the Department of Environmental Protection for certain water bodies; repealing s. 482.211(11), F.S., relating to an exemption from ch. 482, F.S., provided for a yard worker when applying a pesticide to the lawn or ornamental plants of an individual residential property owner under certain circumstances; designating the "Austin Dewey Gay Agricultural Inspection Station" in Escambia County; providing an appropriation; providing an effective date.

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By the Committee on Criminal Justice; and Senators Smith and Crist—

**CS for SB 1398**—A bill to be entitled An act relating to youth custody officers; amending s. 985.2075, F.S.; authorizing a youth custody officer to take a youth into custody if the officer has probable cause to believe that the youth has escaped from a facility operated by or under contract with the Department of Juvenile Justice or has absconded from the supervision of the department; authorizing the youth custody officer to file certain criminal charges and gather evidence for court; revising a provision concerning an officer informing local law enforcement agencies of his or her activities; providing an effective date.

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By the Committee on Criminal Justice; and Senator Atwater—

**CS for SB 1418**—A bill to be entitled An act relating to perjury; creating s. 837.051, F.S.; providing a penalty for knowingly and willfully giving false information to a law enforcement officer who is in the course of conducting a felony or missing-person investigation with the intent to mislead the officer or impede the investigation; providing an effective date.

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By the Committee on Criminal Justice; and Senator Wise—

**CS for SB 1454**—A bill to be entitled An act relating to juvenile sexual offenders; amending s. 985.03, F.S.; defining the terms "psychosexual evaluation" and "qualified sexual offender practitioner"; amending s. 985.229, F.S.; requiring the court to order a psychosexual evaluation for a juvenile sexual offender; specifying requirements for provision of the psychosexual evaluation results and recommendations to the court; amending s. 985.23, F.S.; requiring a predisposition report to include an evaluation of the results and recommendations of a psychosexual evaluation; amending s. 985.231, F.S.; conforming a cross-reference; requiring the court to consider the psychosexual evaluation prior to requiring that an offender be treated by a community-based juvenile sexual offender treatment program; deleting provisions authorizing a comprehensive assessment of sexually deviant behavior; revising provisions to conform; amending ss. 985.31 and 985.3141, F.S.; conforming cross-references; creating a task force on juvenile sexual offenders and their victims; providing for membership; providing duties; requiring that the task force submit a report to the Governor and the Legislature; providing for administrative support; authorizing payment of per diem and travel expenses; providing for dissolution of the task force; providing an effective date.

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By the Committees on Community Affairs; Children and Families; and Senator Lynn—

**CS for CS for SB 1510**—A bill to be entitled An act relating to child care; amending s. 402.281, F.S.; providing criteria that certain child care facilities must meet in order to obtain and maintain a designation as a Gold Seal Quality Care provider; requiring the Department of Children and Family Services to adopt rules pertaining to the Gold Seal Quality Care program; amending s. 402.302, F.S.; revising the definition of the term "screening" to include volunteers; amending s. 402.310, F.S.; authorizing the department or local licensing agency to administer certain disciplinary sanctions to licensees and registrants; authorizing the department or local licensing agency to convert a license or registration to probation status for a violation of certain laws; requiring the department

to adopt rules establishing the grounds for imposing disciplinary actions and creating a uniform system of procedures; amending s. 402.313, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on family day care homes that fail to comply with licensure or registration requirements; providing that the minimum standards required for family day care homes for licensure should include health and safety standards; amending s. 402.3131, F.S.; deleting a provision that authorizes the department or local licensing agency to impose an administrative fine on large family child care homes that fail to comply with licensure requirements; transferring, renumbering, and amending s. 402.3017, F.S.; revising the provisions of the Teacher Education and Compensation Helps scholarship program; authorizing the Agency for Workforce Innovation to administer the program and adopt rules; amending s. 402.309, F.S.; authorizing the issuance of a provisional license or registration for child care to certain applicants; prohibiting a provisional license or registration from being issued under certain circumstances; authorizing the suspension or revocation of a provisional license or registration under certain circumstances; requiring the department to adopt rules; creating s. 402.317, F.S.; authorizing the provision of child care for a period longer than otherwise authorized if a parent or legal guardian works a shift of 24 hours or more; providing an effective date.

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By the Committee on Criminal Justice; and Senator Haridopolos—

**CS for SB 1552**—A bill to be entitled An act relating to correctional and law enforcement officer discipline; amending s. 112.533, F.S.; requiring certain investigative reports to include a statement relating to compliance with ss. 112.532 and 112.533, F.S., and to be verified; providing an effective date.

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By the Committee on Governmental Oversight and Productivity; and Senator Bennett—

**CS for SB 1632**—A bill to be entitled An act relating to agency inspectors general; providing for a vendor or provider to respond to certain preliminary findings or recommendations of inspectors general and for inspectors general to rebut any such response; requiring inspectors general to include any such response or rebuttal in the final audit report; providing an effective date.

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By the Committee on Education; and Senators Webster and Fasano—

**CS for SB 1876**—A bill to be entitled An act relating to suicide prevention; providing legislative intent; providing for a pilot program to be conducted by the Signs of Suicide Prevention Program for secondary schools in specified counties; requiring the submission of proposals to the Department of Education; providing for student participation in the pilot program and for the provision of certain information to parents; requiring a report to the Legislature; providing an appropriation; providing an effective date.

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By the Committee on Criminal Justice; and Senator Wise—

**CS for SB 2018**—A bill to be entitled An act relating to pretrial release; amending s. 903.02, F.S.; providing that any judge setting or granting bail shall set a separate bail amount for each charge or offense; amending s. 903.047, F.S.; requiring a defendant to comply with all conditions of pretrial release; amending s. 903.26, F.S.; providing requirements for bond forfeiture; amending s. 903.27, F.S.; providing that in cases in which the bond forfeiture has been discharged or set aside, the amount of the judgment may not exceed the amount of the unpaid fees or costs; amending s. 903.31, F.S.; providing that the clerk of court shall furnish an executed certificate of cancellation to the surety; providing that the original appearance bond does not guarantee the defendant's conduct or appearance in court under certain circumstances; providing an effective date.



By the Committees on Criminal Justice; Transportation; and Senator Wise—

**CS for CS for SB 2020**—A bill to be entitled An act relating to speed limit enforcement on state roads; creating s. 316.1893, F.S.; providing legislative intent; providing for establishment by the Department of Transportation of enhanced penalty zones on state roads; authorizing the department to set speed limits within those zones; directing the department to adopt a uniform system of traffic control devices to be used within the zones; prohibiting operation of a vehicle at a speed greater than that posted in the enhanced penalty zone; directing the Department of Highway Safety and Motor Vehicles to tabulate citations issued within enhanced penalty zones and make available certain information; directing the Department of Transportation, the Department of Highway Safety and Motor Vehicles, and the Department of Education to conduct a study and report to the Governor and the Legislature for certain purposes; amending s. 318.18, F.S.; providing for the notification of the speed limit and of the doubling of fines in a construction zone; providing penalties for violation of posted speed in an enhanced penalty zone; providing for disposition of enhanced penalties; amending s. 318.21, F.S.; correcting cross-references to conform to changes made by the act; reenacting ss. 318.14(2), (5), and (9), 318.15(1)(a) and (2), 318.21(7), 402.40(4)(b), and 985.406(4)(b), F.S., relating to noncriminal traffic infraction procedures, failure to comply with civil penalty or to appear, disposition of civil penalties by county courts, child welfare training, and juvenile justice training academies, respectively, for the purpose of incorporating the amendment made to s. 318.18, F.S., in references thereto; providing an effective date.

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By the Committee on Banking and Insurance—

**CS for SB 2112**—A bill to be entitled An act relating to health care clinics; amending s. 400.9905, F.S.; redefining the term “clinic” for purposes of the Health Care Clinic Act to include certain additional providers; excluding certain facilities owned by publicly traded corporations; amending s. 400.991, F.S.; requiring additional persons to be subject to background screening; revising certain requirements for applying for licensure as a health care clinic; providing additional grounds under which an applicant may be denied licensure due to a finding of guilt for committing a felony; amending s. 400.9935, F.S.; revising the responsibilities of the medical director and the clinical director; requiring all persons providing health care services to individuals in a clinic to comply with the licensure laws and rules under which that person is licensed; providing for a certificate of exemption from licensure as a clinic to expire within a specified period; providing for renewal of the certificate of exemption; revising the application procedures for a certificate of exemption; providing grounds for the denial, withdrawal, or emergency suspension of a certificate of exemption by the Agency for Health Care Administration; providing that it is a third-degree felony for an applicant to submit fraudulent or material and misleading information to the agency; requiring health care clinics to display signs containing certain information relating to insurance fraud; authorizing compliance inspections by the Division of Insurance Fraud; requiring clinics to allow inspection access; providing an effective date.

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By the Committee on Banking and Insurance—

**CS for SB 2114**—A bill to be entitled An act relating to motor vehicle insurance; reorganizing provisions pertaining to personal injury protection benefits under the Florida Motor Vehicle No-Fault Law for the purpose of clarifying its meaning and intent and for the purpose of better comprehension; amending s. 627.736, F.S.; providing that a self-employed injured person or an injured person owning 25 percent or more interest in an employer offer proof of income and lost wages to insurers as a condition precedent for payment; providing for a statement of earnings; requiring an insured to notify an insurer in writing of election to reserve benefits for lost wages; specifying that such notification takes priority over other claims, except specified hospital liens; providing for Medicaid benefits; requiring the Department of Health to determine by rule tests deemed not to be medically necessary; providing guidance as to criteria to be considered; providing for required payment of benefits; authorizing a parent or legal guardian of an injured minor to complete application for personal injury protection benefits; providing for changes for treatment of injured persons; providing requirements for compliance

with billing procedures; specifying the time period within which a health care provider or other specified provider must submit a statement of charges; prohibiting providers from billing an injured person under specified conditions for emergency services and care; requiring a provider to submit a written bill at the time of treatment which the injured patient must sign; providing exceptions; requiring insurers to provide specified documents to insureds; requiring that amounts repayable to an insurer include the statutory interest penalty; increasing the time period for an insurer to respond to a demand letter; providing requirements for the production and inspection of an injured person’s medical records from a provider; eliminating the application of a contingency risk multiplier as to attorney-fee awards in specified disputes; providing that persons notifying insurers of improper billing may obtain a reward; restricting venue for any personal injury protection claim to specified jurisdictions and providing for costs of transferring venue; amending s. 316.068, F.S.; specifying information to be included in a crash report; creating a rebuttable presumption regarding the existence of passengers; specifying conditions relating to reporting passengers; amending s. 322.26, F.S.; providing an additional circumstance relating to insurance crimes for mandatory revocation of a person’s driver’s license; amending s. 817.234, F.S.; revising provisions specifying material omission and insurance fraud; prohibiting scheming to create documentation of a motor vehicle crash that did not occur; providing a criminal penalty; amending s. 817.2361, F.S.; providing that creating, marketing, or presenting fraudulent proof of motor vehicle insurance is a felony of the third degree; providing appropriations for law enforcement and investigative personnel in the Division of Insurance Fraud and for assistant state attorney positions in specified circuits; abrogating the repeal of provisions pertaining to the Florida Motor Vehicle No-Fault Law; providing an effective date.

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By the Committee on Commerce and Consumer Services; and Senator Campbell—

**CS for SB 2186**—A bill to be entitled An act relating to trademarks; creating s. 495.001, F.S.; providing a short title; amending s. 495.011, F.S.; providing definitions; amending s. 495.021, F.S.; precluding registration of certain marks; repealing s. 495.027, F.S., relating to reservation of a mark; amending s. 495.031, F.S.; providing requirements for information to be contained in an application for registration of a mark; authorizing the Department of State to require certain information in an application; requiring that the application be signed and verified by any of certain persons; requiring that the application be accompanied by three specimens showing the mark; requiring that the application be accompanied by a fee; creating s. 495.035, F.S.; providing filing guidelines for applications; providing for disclaimers of unregistrable components; providing for amendment and judicial review; providing for priority of registrations; amending s. 495.041, F.S.; providing that first use shall inure to the benefit of the registrant or applicant under certain circumstances; amending s. 495.061, F.S.; providing for the issuance of a certificate of registration by the department; removing a provision relating to reservation of a mark; amending s. 495.071, F.S.; providing guidelines for the renewal of marks; revising duration of effectiveness of a registration; amending s. 495.081, F.S.; providing for the assignability of marks; authorizing a photocopy of an assignment to be acceptable for recording; providing for change of name certificates for registrants; authorizing recordation of certain instruments; providing acknowledgment of recording as prima facie evidence of the execution of an assignment or other instrument; specifying requirements for creation and perfection of security interests in marks; amending s. 495.091, F.S.; requiring the department to record all marks registered with the state; amending s. 495.101, F.S.; requiring the department to cancel certain marks; amending s. 495.111, F.S., which establishes a classification of goods and services; providing that a single application for registration of a mark may include any or all goods upon which, or services with which, the mark is actually being used comprised in one or more of the classes listed; amending s. 495.131, F.S.; revising infringement provisions to include an element of lack of consent by the registrant; conforming language; amending s. 495.141, F.S.; providing additional remedies for the unauthorized use of a mark; creating s. 495.145, F.S.; providing a forum for actions regarding registration; providing for service of process on nonresident registrants; amending s. 495.151, F.S.; providing for an injunction in cases of dilution of a famous mark; providing factors to be considered in determining that a mark is famous; providing damages in certain circumstances of dilution; amending s. 495.161, F.S.; deleting language relating to the diminishing of certain common law rights;

amending s. 495.171, F.S.; providing effective date of changes to ch. 495, F.S., as amended by the act; providing for repeal of conflicting acts; providing application to pending actions; amending s. 495.181, F.S.; providing construction and legislative intent; creating s. 495.191, F.S.; providing certain fees; repealing s. 506.06, F.S., relating to unlawful to counterfeit trademark, to conform; repealing s. 506.07, F.S., relating to filing of trademark or other form of advertisement for record with Department of State, to conform; repealing s. 506.08, F.S., relating to fee for filing, to conform; repealing s. 506.09, F.S., relating to civil remedies, to conform; repealing s. 506.11, F.S., relating to unlawful use of trademark, to conform; repealing s. 506.12, F.S., relating to procuring the filing of trademark or other form of advertisement for fraudulent representations, to conform; repealing s. 506.13, F.S., relating to using the name or seal of another, to conform; providing an effective date.

By the Committees on Education; Criminal Justice; and Senator Argenziano—

**CS for CS for SB 2280**—A bill to be entitled An act relating to high-risk offenders; amending s. 322.141, F.S.; requiring distinctive markings for driver's licenses and identification cards issued to persons who are designated as sexual predators or subject to registration as sexual offenders; amending s. 322.212, F.S.; prohibiting the alteration of sexual predator or sexual offender markings on driver's licenses or identification cards, for which there are criminal penalties; amending s. 775.21, F.S.; requiring sexual predators to obtain a distinctive driver's license or identification card; amending s. 943.0435, F.S.; requiring sexual offenders to obtain a distinctive driver's license or identification card; amending s. 944.607, F.S.; requiring specified offenders who are under the supervision of the Department of Corrections but are not incarcerated to obtain a distinctive driver's license or identification card; amending s. 1012.465, F.S.; amending background screening requirements for certain noninstructional school district employees and contractors; adding noninstructional contractors to those who must meet the screening requirements; defining the terms "noninstructional contractor," "convicted," and "school grounds"; creating s. 1012.467, F.S.; providing for the submission of fingerprints; requiring school districts to screen results of criminal records checks; requiring the cost of background screening requirements to be borne by certain parties; providing a cap on fees that may be charged; providing a list of violations that such persons must not have committed if they are to satisfy the screening requirements; providing sanctions for failure to meet requirements; providing grounds for contesting denial of access to school grounds; providing reporting requirements; providing that the failure to meet requirements is a misdemeanor of the first degree; allowing certain educational entities to share information derived from checks of criminal history records; authorizing the Department of Law Enforcement to adopt rules; providing immunity from civil or criminal liability; creating s. 1012.468, F.S.; specifying exemptions for contractors; providing criteria and conditions; providing that exempted contractors are subject to a search of certain databases that list sexual predators and sexual offenders; providing consequences of a failure to meet the screening requirements; prohibiting school districts from conducting additional criminal history checks; creating s. 1012.321, F.S.; creating an exception for certain instructional personnel; providing criteria; providing effective dates.

By the Committee on Education; and Senator Baker—

**CS for SB 2326**—A bill to be entitled An act relating to postsecondary education; amending s. 1007.22, F.S.; revising provisions relating to establishment of interinstitutional mechanisms by public postsecondary educational institutions; amending s. 1007.23, F.S.; revising components of the statewide articulation agreement; revising terminology; requiring the State Board of Education to establish articulated career paths for specific professions; requiring career paths to provide credit for certain programs and experiential learning; providing prerequisites to the participation by nonpublic schools and colleges in the statewide agreements for articulated career paths; amending s. 1009.50, F.S.; authorizing certain students in postsecondary career certificate programs to receive Florida public student assistance grants; creating s. 1009.521, F.S.; creating the GED Success Scholarship Program; providing for administration; providing for the award of scholarships from appropriated funds; providing eligibility criteria; providing for transmittal of funds to eligible institutions; providing for reporting; providing for rulemaking;

creating s. 1011.802, F.S.; establishing the School District Career Center Facility Enhancement Challenge Grant Program; authorizing a school district direct-support organization to solicit funds and establish a separate career center capital facilities matching account for private contributions for instructional facility construction projects; providing for match by state appropriations; providing for a portion of the cost of a facility construction project to be provided from a school district's local capital funds; providing State Board of Education requirements relating to capital outlay budget requests for such projects; providing for reversion of funds; requiring the Office of Program Policy Analysis and Government Accountability to assess articulation agreements and identify career center programs that may articulate to certain degree programs; requiring recommendations; requiring the Office of Program Policy Analysis and Government Accountability to review all career paths that provide for the articulation credit and submit a report to legislative leaders; providing an effective date.

By the Committee on Education; and Senators Dockery and Baker—

**CS for SB 2480**—A bill to be entitled An act relating to growth management; amending s. 1013.65, F.S.; revising the sum appropriated for the Classrooms for Kids Program; amending s. 1013.738, F.S.; revising the eligibility criteria for the High Growth District Capital Outlay Assistance Grant Program; revising provisions for allocation of funds provided by the General Appropriations Act to the Public Education Capital Outlay and Debt Service Trust Fund; providing an effective date.

By the Committee on Commerce and Consumer Services; and Senators Fasano, King, Sebesta and Haridopolos—

**CS for SB 2580**—A bill to be entitled An act relating to the state's aerospace industry; redesignating the "Florida Space Authority" as "Space Florida"; providing legislative intent; providing, revising, and repealing definitions; revising and consolidating the roles, purposes, responsibilities, assets, and duties of the Florida Space Authority as those of Space Florida; deleting authority to establish facilities and complementary activities; providing additional powers and duties of Space Florida; prohibiting Space Florida from endorsing political candidates or making campaign contributions; characterizing certain property as Space Florida territory; providing additional powers and responsibilities of Space Florida relating to the state's aerospace industry; deleting authority to exercise eminent domain powers; requiring Space Florida to create a business plan and a marketing campaign; requiring Space Florida to coordinate its activities with federal and state agencies; replacing provisions providing for a board of supervisors with provisions providing for a board of directors of Space Florida; providing for designation and appointment of members; providing for terms, removal of members, and filling of vacancies; providing for board meetings; specifying service without compensation; providing for reimbursement of certain expenses; providing financial disclosure requirements; revising powers and duties of the board; creating ss. 331.3011 and 331.3051, F.S.; amending ss. 331.301, 331.302, 331.303, 331.305, 331.306, 331.308, 331.309, 331.310, 331.3101, 331.311, 331.312, 331.313, 331.315, 331.316, 331.317, 331.318, 331.319, 331.320, 331.321, 331.322, 331.323, 331.324, 331.325, 331.326, 331.327, 331.328, 331.329, 331.331, 331.333, 331.334, 331.335, 331.336, 331.337, 331.338, 331.339, 331.340, 331.343, 331.345, 331.346, 331.347, 331.348, 331.349, 331.350, 331.351, 331.354, 331.355, 331.360, and 331.369, F.S., to conform; amending ss. 14.2015, 74.011, 196.012, 212.02, 288.063, 288.075, 288.35, and 288.9415, F.S., to conform; amending s. 212.08, F.S.; expanding the exemption from the sales and use tax on certain machinery and equipment; amending s. 212.20, F.S.; requiring dealers at certain business locations to file returns with the Department of Revenue disclosing certain sales tax information; specifying return requirements; requiring the department to distribute certain proceeds to Space Florida; requiring expenditure of such proceeds for certain purposes; creating s. 1004.86, F.S.; requiring the Department of Education to establish the Florida Center for Mathematics and Science Education Research at a public state university; specifying requirements for the center; repealing s. 331.314, F.S., relating to the exclusive authority of the Florida Space Authority to regulate spaceports; repealing s. 331.367, F.S., relating to the Spaceport Management Council; repealing s. 331.368, F.S., relating to the Florida Space Research Institute; repealing ss. 331.401, 331.403, 331.405, 331.407,

331.409, 331.411, 331.415, 331.417, and 331.419, F.S., relating to the Florida Aerospace Finance Corporation; providing that the Florida Space Authority, the Florida Space Research Institute, and the Florida Aerospace Finance Corporation are dissolved on a specified date; providing that Space Florida assumes the records, property, and unexpended balances of appropriations, allocations, and other funds from the dissolved entities; requiring the Governor, the President of the Senate, and the Speaker of the House of Representatives to appoint the board of directors of Space Florida by a specified date; requiring the board of directors of Space Florida to hold its first meeting by a specified date; amending ss. 228.1224, 288.9015, 445.004, and 1001.10, F.S.; requiring the Florida Commission on Tourism, Enterprise Florida, Inc., Workforce Florida, Inc., and the Commissioner of Education to enter into memoranda of agreement with Space Florida; amending s. 334.044, F.S.; prescribing power of the Department of Transportation to enter into agreement with Space Florida; providing an effective date.

## CORRECTION AND APPROVAL OF JOURNAL

The Journal of March 29 was corrected and approved.

## CO-INTRODUCERS

Senators Aronberg—SB 412; Crist—SB 1832; Fasano—SB 1494; Jones—SB 442; Pruitt—SB 2006

Senator Posey withdrew as introducer of SB 2524.

Senator Baker was recorded as introducer of SB 2524.

## RECESS

On motion by Senator Pruitt, the Senate recessed at 12:38 p.m. for the purpose of holding committee meetings and conducting other Senate business to reconvene at 9:00 a.m., Wednesday, April 5 or upon call of the President.